

THE BRAILLE MONITOR

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VOICE OF THE NATIONAL FEDERATION OF THE BLIND



The National Federation of the Blind is not an organization speaking for the blind--it is the blind speaking for themselves

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ILLINOIS---NEW AFFILIATE

by
Kenneth Jernigan

Saturday, August 10, 1968, was a great day for the National Federation of the Blind. We brought into being a new and enthusiastic affiliate---the Illinois Congress of the Blind.

Never before in our history has such intensive work gone into the formation of a new state affiliate, and never have better results been achieved. On Friday, August 2, John Taylor headed a team of organizers who went to Illinois. Included were Jim Gashel, President of the National Federation of the Blind Student Division; Mary Ellen Fite; Loren Schmitt; Judy Young; Ramona Willoughby; Shirley Lansing; and Glenn Sterling. The team made its headquarters in Chicago and immediately joined forces with several Illinoisans, who helped spearhead the effort. First, there was Rami Rabby, whom Federationists will remember as one of the speakers at this year's Des Moines convention. Totally blind, Rami (born in Israel and a graduate of Oxford University) was employed for a time in the personnel department of the Ford Motor Company in England. He is now working toward his Master's Degree in Business Administration at the University of Chicago, and this summer is serving as a consultant to the First National Bank of Chicago. At our Des Moines convention he was elected Secretary of the NFB Student Division. Another valuable member of the team was Don Roberts, who is a medical transcriptionist at St. Joseph Hospital in Chicago. Still another was Charla Bentz. This young woman (though sighted) is one of the most vibrantly enthusiastic members of our movement. She has taken a number of college courses in special education of the blind and is now working as a sales representative with Lane Bryant, the specialty store for women. These people had gathered lists of names and made extensive preliminary contacts.

John Taylor and his team met with eleven of the Illinois people on the night of August 2 and planned for the coming week. Prominent at this meeting were Ron Byster, medical transcriber at Columbus Hospital and Dr. Jim Nyman, Assistant Professor of Social Science in Political Science, University of Chicago. As a blind student, Jim Nyman received his PhD from the University of California at Berkeley and knew and worked with Dr. tenBroek. I first became acquainted with him when I was President of the Alameda County Club of the Blind in Oakland, and he was a member.

On Saturday, August 3, seven organizing teams went into the field. Fanning out from the Sherman House (organizing headquarters), they worked in Chicago, Urbana, Des Plaines, Galesburg, Rockford, and through-

out the state. During the next seven days, they contacted almost 300 blind people and laid the groundwork for what I am sure will be one of our best affiliates.

John Taylor and Glenn Sterling could only stay for the first full day of the effort, but the work went forward with full speed and enthusiasm, with Jim Gashel and Rami Rabby serving as co-leaders. By the time I arrived on Friday night, August 9, it was clear we were going to have a large turn out for the organizing convention the following day. Incidentally, Anna Katherine went with me on the trip, as did Manuel Urena and Pamela Buckler, who formerly lived in Illinois.

When we assembled in the meeting room on Saturday morning, a large crowd was on hand. It was characterized by youth, vigor, enthusiasm, and determination. I began by explaining the purposes of the Federation and talking about some of its current activities and then opened the meeting for questioning. We had made it clear ahead of time that we were not meeting to fight with anybody, either members of the former NFB affiliate or the agencies. However, we had made it equally clear that we did not propose to waste much time discussing the question of whether we ought to organize an Illinois affiliate. Only one or two people tried in any way to delay the meeting or divert us from the purpose, and they withdrew with barely a ripple of disturbance.

As the meeting progressed, it was clear that there is an urgent need for an active organization of the blind in the state. Illinois has let its welfare programs be put under Title XVI of the Social Security Act, and the description of conditions is not encouraging. Most of the state's programs for the blind are not contained in a separate agency but are combined into a large, overall department. The blind people with whom the teams talked said that Chicago has a general prohibition against any handicapped person being employed as a teacher. The state, of course, does not have the Model White Cane Law. Many other problems were also discussed. The first item after lunch was the official acceptance of members. Each person who wanted to join came to the microphone and introduced himself. Before the session ended sixty-four people enrolled. Fourteen had done so earlier in the week but were not able to be present. Therefore, the affiliate began with a charter membership of seventy-eight.

The next item of business was the adoption of a Constitution. After a lively discussion and the suggestion of several names, it was decided to call the new affiliate the Illinois Congress of the Blind. We then proceeded to elect officers and board members. They are: President, Rami Rabby; First Vice-President, Don Roberts; Second Vice-President, Dr. Jim Nyman;

Secretary, Charla Benta; and Treasurer, Ron Byster. For two year terms on the Board: Bill Meyers, Educational Counselor in Adult Basic Education, Cook County Department of Public Aid, and Bob Dean, Assistant Agency Manager, Continental Assurance. For one year Board terms: Steve Benson, Special Representative for Continental Assurance, and Cynthia Brown, Teacher, Department of Mental Health, Reed Zone Center.

As you can see, this is a Board of high caliber and broad representation. It can, and I'm sure will, provide outstanding leadership for the organization. In fact, the entire membership is of similar quality and standing. In this connection, I was delighted that Sanford and Virginia Allerton were present. As Federationists know, Sanford was for many years President of our Michigan affiliate, doing an excellent job as organizer and leader. He and Virginia now live in Chicago. We were able to talk only briefly, but we did sit together at lunch and visited as much as we could.

It was almost five when the meeting adjourned, and I think there was an unanimous feeling that the day had been a whopping success. I got together briefly with the new Board, and we made plans for a program of action. There were many people who could not be present but had expressed an interest in joining. These will be contacted, and local affiliates will soon be formed.

As I rode home on Sunday, I did so in the confidence that the Illinois Congress of the Blind will be one of the strongest affiliates of the Federation and that they will be represented next year at the NFB convention in South Carolina. With the vigor and enthusiasm expressed at the Des Moines convention this year and with the increasing numbers of young people joining the movement, I am sure that Illinois is only the first of a long line of new affiliates to come---and soon! The goal must be to organize every state in the union. In the meantime, hats off to our new affiliate---the Illinois Congress of the Blind!

PHILOSOPHICAL IMPLICATIONS OF BOOK SELECTION FOR THE BLIND

by
Florence Grannis

If you believe that blind people cannot ride horses, you will not put books about horseback riding into Braille, onto tape and onto talking books. If you believe blind people cannot participate in swimming, dancing, bowl-

ing, you will not put books about swimming, dancing, bowling into Braille, onto tape and onto talking books.

It is said that philosophy bakes no bread, but conversely, without philosophy no bread is baked. All book selection is based on philosophy; but conversely book selection by its very nature is censorship. If you are a parent choosing books for your children, you are likely to choose books that have the type of moral precepts you wish to inculcate in them. If you are a librarian or an educator, you will probably choose books that will help the children to stretch their minds, give them a fondness for reading and give them a general background of knowledge. If you are a librarian for the blind, your book selection will reflect what you believe about blindness, about blind people and about the role of the blind in society.

Since almost no library can have every book, the very process of selecting book A rather than book B constitutes censorship. It would be a rare thing for the book selector to choose books at random, eeny-meeny-miny-mo, every tenth book, or only books with green covers. Perhaps the result of his judgment would appear to be much the same if he lets the book salesman affect his judgment, or if he chooses subjects dear to his own heart (which all of us do to a certain extent), or if he chooses by format, size of type, appearance of volumes, and so on. But usually the book selector chooses book A rather than book B because book A fits his concept of what his readers want, should have, or will tolerate. The book selector will probably not be conscious of it, but the books he chooses and the books he rejects will be determined by the way he sees his public.

I was once the head of a large general reading department of a public library. My predecessor, who had been in charge of the department enough years to really make an impact on its book collection, had taken into account that the community was a university town (and indeed it did have a college), and he had purchased heavily in the areas of the erudite and avant garde. There were almost no books for what I call Mr. Average Reader. This was not because he felt Mr. Average Reader should be ignored, but simply that he did not believe Mr. Average Reader existed in the sense that I did. Perhaps one could argue that who and what Mr. Average Reader was was purely a subjective judgment, but with my book selection, for my concept of Mr. Average Reader, the book circulation tripled and the nearly empty department became congested.

Book selection for the blind has always been based on the view the selector has had of the blind reader. Let us draw up a profile of Mr. Blind Reader according to the way the average book selector has seen him.

Age: Over sixty
Education: Limited
Financial Status: Poor, on welfare

Mobility: Limited
Horizons (experience of the world): Limited
Vocabulary: Limited
Employed: No
Religious: Yes

Here you have it: Mr. Blind Reader, as he has been seen by the book selector is elderly, not very bright, has never done much with his life, has very narrow interests, is easily shocked, and books are pretty much a means of whiling away his time. That this is the way Mr. Blind Reader has been seen is not just supposition on my part. This is what has traditionally caused the heavy emphasis on the religious element in the book collection. This is what has traditionally caused the timidity in adding Balzac, Rabelais, Faulkner, Farrell, Henry Miller, Hemingway to the book collection. This is what caused one librarian for the blind to say, "You can't let them have just any books!" as she withdrew Gone with the Wind from her collection.

That librarian was genuinely concerned with the welfare of her patrons. She wanted to give good library service; she simply believed that it would be giving bad library service to release onto unsuspecting, innocent, sheltered, and to-be-sheltered Mr. Blind Reader torrid bedroom scenes such as those between Scarlet and Rhett in Gone with the Wind.

Of course, the book selector is a member of the general public, of society at large; and his view of Mr. Blind Reader is the view held by other individuals who will influence what Mr. Blind Reader's library service will be. The administrator has also seen Mr. Blind Reader as ignorant, helpless, inferior. Why else have the libraries for the blind traditionally been under-staffed, under-housed, and under-financed? Why has the person in charge traditionally been a sweet little old lady with little library skills, background, or knowledge, that someone on the library board needed to find a spot for, or a querulous, cantankerous individual who could not be tolerated in any other department, but who should be employed. Isn't it because it has always been felt--and deeply and emotionally experienced--that anything is good enough for the blind, that they are mighty lucky to have any library service? Isn't this what prompted one administrator to say in my hearing, "We have to give service but we don't have to give good service"? The man was, in general, a first-rate administrator, and the library he directed for the sighted public was an outstanding one because he had confidence in the worth of the sighted public. He simply felt that the blind, who could never be first class citizens (and this was his unquestioned belief), did not rate a first-class library. This man took for granted that the blind could never take their places in the community as self-supporting, contributing citizens.

Improvement in the caliber of book selection for the blind, and in-

deed in all library services for the blind, can only be brought about by improvement in attitudes toward the blind. There must be recognition that blind people are just people--some of whom want Fanny Hill, some of whom find Fanny Hill offensive, some of whom want Plato, some of whom find Plato boring; some of whom want Catherine Marshall, some of whom find Catherine Marshall insipid.

It must be recognized that given opportunity and proper training, the average blind person can hold the average job, in the average place of business, that he can be independent and self-supporting: and that it is vital for society, as well as for the individual, that that status of independent self-support be brought about. It must be recognized, that side-by-side with the attitude that if a blind person can tie his shoe he is "wonderful," is a conviction that he should read at the "shoe-tying" level.

There is evidence that attitudes about the blind are improving, at least in certain areas. More and more blind people are employed in regular jobs. More people are questioning the whole concept of sheltered workshops. Blind and sighted alike are rejecting begging as an activity for the blind and welfare as a means of subsistence.

There is evidence, too, that libraries for the blind are improving. Bob Bray has consistently worked to upgrade the Division for the Blind of the Library of Congress and all of the regional libraries. More and more of the regional libraries are headed by people with library school degrees. More and more libraries for the blind are beginning to get their fair share of their system's budget.

A great deal of education of the public and of the blind (for the blind are part of the public) is still needed. It is no accident that a large number of the individuals and groups who want to give to libraries for the blind, want to give Bibles, until we are surfeited with them. It is no accident that it is very difficult to find transcribers who will Braille the "naughty" books. Why was it that the prison inmate (in on a morals charge) objected to Brailleing the Decameron?

Why is it that in the world of the blind there are many religious organizations promoting and supplying material of many denominations or no denominations at all, tracts, periodicals, hymns, etc., and so few promoting general culture, the best sellers and "great books"? And which are better supported? Why is it that blind people often do not want to be identified as blind, to be seen reading Braille, or to be seen using a cane? That Braille is often down-played as something going out, "too cumbersome to be useful", "too slow to be feasible"? That the words, "solely for the use of the blind", in connection with the talking books often cause a rejection of the service by those with visual or physical disabilities? It is because it is thought that it is not respectable to be blind. Blindness is

equated with darkness, ignorance, and inferiority.

It was early recognized that the reading needs of the blind have a wide scope, and the Report of the Librarian of Congress in 1932 states: "The blind represent a cross-section of the sighted population since blindness is no respecter of persons or of occupations so that this group has for the most part the same literary tastes as the sighted. But the handicap of blindness emphasizes to the utmost the necessity of having a wide variety of literature available since reading is the greatest source of profitable and recreational occupation open to them."¹ And again, in the Survey of Library Service for the Blind, 1956, by Francis R. St. John, "Inasmuch as the interests and reading tastes of the blind are substantially the same as those of corresponding groups of sighted readers, the selection for the blind will be similar to that for the sighted; and one of the objectives of the program is to provide for the blind the same variety of reading matter which is available to the sighted."²

However, these book selection policies will only be paper policies as long as the book selectors reflect paternalism and condescension in their inner emotions.

By and large the needs of the blind reading public can be met by the approach I used in the public library, when I bought for Mr. Average Reader. Add the erudite and avant garde books my predecessor concentrated on and you have a balanced book collection.

Specifically, how do the libraries for the blind fare in book selection? In my comments I am totally disregarding hand transcribed Braille books and taped books. Taped books because many blind readers do not have access to tape recorders, and hand transcribed Braille books because there are so few copies of any given book. (Our library in Iowa cuts off reserves on hand transcribed books after we acquire enough for ten years. Many borrowers will die or completely lose interest in the book, before they get it.)

Concerning book selection for the blind, the 1956 St. John's Survey says,

The conclusion to be drawn from this checking of titles published in the Books for the Blind program with various standard

¹ Library of Congress, Report of the Librarian of Congress, for the fiscal year ending June 30, 1932 (Washington: United States Government Printing Office, 1932), p. 273.

² Francis R. St. John, Survey of Library Service for the Blind, 1956 (New York: American Foundation for the Blind, 1957), p. 72.

lists is that the selection is of high standard and that there is good variety in certain of the more popular categories, such as fiction, literary classics, biography and history, but that the material in scientific, technical and specialized subject categories is thin. There is a serious lack in both talking book and braille titles of both scholarly and technical material. The selection policy has been to select the book that would appear to attract the largest number of readers rather than to try to build a well-rounded collection which could be used for informational as well as recreational purposes. In other words, the collection will supply the recreational and inspirational needs of the blind but it is obvious that it will not be of much help in meeting the demand for vocational information.³ [St. John says further,] It is conceivable that many of the blind population do not use the libraries because they cannot find in them material they need.⁴ A much broader selection of materials which will supply the vocational and professional needs of the blind is recommended.⁵

As yardsticks to measure the adequacy of book selection for the blind, I have chosen 1967 Hardbound Best Seller List,⁶ Librarians' Choice--110 Significant Books for All Lands and Times,⁷ the Fiction Catalog⁸ and the Standard Catalog for Public Libraries.⁹ Checking the books sent to the regional libraries by the Library of Congress with the 1966 supplement to the Fiction Catalog (I used the 1966 supplement so that there would be ample time for the production of the books), I find, of the 327 items checked, we have 70, or 21.41 per cent on talking books, and 22, or 6.73 per cent in press Braille. Since more than 500 titles are added to the libraries each year, and since the Fiction Catalog is a basic buying guide for medium

3 Ibid., p. 81

4 Ibid., p. 83.

5 Ibid., p. 103.

6 Alice P. Hackett, "The 1967 Hardbound Best Sellers," Chicago Tribune Book World, March 3, 1968, p. 2.

7 Meredith Bloss and Helen Terry, Librarians' Choice - 110 Significant Books from All Lands and Times (Milwaukee: Milwaukee Public Library, 1958).

8 Estelle A. Fidell, ed. and Esther V. Flory, ed., Fiction Catalog, Seventh Edition (New York: The H. W. Wilson Company, 1961).

9 Estelle A. Fidell, ed. Standard Catalog for Public Libraries, 1966 Supplement (New York: The H. W. Wilson Company, 1967).

and small libraries, this is a small number indeed.

The preface of the Fiction Catalog says, "...the objective of the FICTION CATALOG has been to provide its thousands of library purchasers with a list of adult fiction titles whose usefulness is vouched for by a representative group of experienced librarians and specialists of the highest professional standing, representing the needs and interests of libraries of various types and sizes in all parts of the country."¹⁰ Also, "...in accordance with the guiding principles of book selection adopted by the American Library Association...with emphasis on the usefulness...of each book."¹¹

It is interesting to observe that today libraries for the blind have a smaller percentage of books listed in standard book selection aids than they had at the time of the publication of the St. John's Survey in 1955. The St. John's Survey indicated that 42.72 per cent of the books listed in standard book aids were available in libraries for the blind.¹² Today the figure is 21.2 per cent.

Let us break down Fiction Catalog listings further. The 1966 Fiction Catalog Supplement has 69 books single starred for excellence, 10 books double starred for superexcellence. How many of these do we have? We have Sholom Aleichem's Old Country Tales, Armstrong's Dream of Fair Woman, Barry's Maximilian's Gold, Benchley's The Monument and 13 other books which have been single starred. We have Auchincloss' The Embezzler, Crichton's The Secret of Santa Vittoria, and four other books which have been double starred. Six of the 10 double starred and 17 of the 69 single starred--23 out of 79! Considering some of the titles that have been added during the past two or three years, this would seem to be rather damning.

Let us examine a few of the single star and double star books which have been omitted. Barth's Giles Goat-boy caused a considerable flurry in the world of sighted readers, and no wonder. The Fiction Catalog says of it, "...there are many orgies and copulation explosions, as though Cecil B. DeMille were staging a new superdrama called 'incontinence.'"¹³ Graham Green's The Comedians is double starred. In the words of the

¹⁰ Fidell and Flory, op. cit., p. 5.

¹¹ Ibid.

¹² St. John, op. cit.

¹³ Book of the Month Club News, n.d., quoted in Fiction Catalog, 1966 Supplement (New York: The H. W. Wilson Company, 1967), p. 7.

Fiction Catalog, "This 'book concerns a back-slidden Catholic, a native of Monaco and owner of a run-down tourist hotel in Haiti; his affair with the German wife of a Latin American ambassador; and his involvement with a rascally British con man and an American Presidential candidate and his wife, in Haiti to propagate the cult of vegetarianism--most of them in varying degrees comedians on the stage of life.'"¹⁴ Surely blind people would enjoy this! Double starred Malamud's The Fixer is "...a study of human suffering in which the sufferer, a common ordinary man, manages to rise above his suffering and to remain alive when death seems easier, simply as a symbol of truth. . . The Christian reads these pages with a sense of shocked outrage as the worst accusations of the Middle Ages are hurled against the Jews in the present century, including, most horribly, that of ritualistic blood-murder."¹⁵ Do the blind need to be protected from this?

The preface to the Standard Catalog for Public Libraries, 1966 Supplement states

...the objective of the STANDARD CATALOG FOR PUBLIC LIBRARIES has been to provide a classified list of non-fiction titles whose usefulness is vouched for by a representative group of experienced librarians and specialists of the highest professional standing, representing the needs and interest of libraries of various types and sizes in all parts of the country. . . All inclusions in the CATALOG and its Supplements are determined by the votes of the consultants; none by the publisher or editorial staff.¹⁶

Of the 400 items checked in the 1966 Supplement to the Standard Catalog, 47 are in talking books and 15 are in Braille. Of the 36 single starred books, 9 are in talking books and 2 are in Braille. Of the 16 double starred books, 4 are in talking books and none is in Braille. These books are, of all the non-fiction books published in the nation that year, the ones the book selection experts of the nation say should be in public libraries, large and small! How few were put into the libraries for the blind!

Let us quickly consider a few of the titles omitted. Double starred is Bernstein's A Primer on Money, Banking and Gold. The Standard Catalog says of this, "A clear, thorough, explanation of modern money and

14 Library Journal, n.d., quoted in Fiction Catalog, 1966 Supplement (New York: The H. W. Wilson Company, 1967), p. 21.

15 Best Sellers, n.d., quoted in Fiction Catalog, 1966 Supplement (New York: The H. W. Wilson Company, 1967), p. 30.

16 Fidell, op. cit., p. 3

banking."¹⁷ Double starred Cousteau's Jacques-Yves Cousteau's World Without Sun is described as "Narrative of man's first undersea colony in which a group of Oceanauts lived for a month in Continental Shelf Station No. 2 in the Red Sea."¹⁸ Coon's single starred book, The Living Races of Man, where "The author 'traces the races of man from their five cradles at the end of the last glacial period to their present distribution.'"¹⁹ Why should these books not be available for the blind?

Let us consider now the 1967 Hardbound Best Seller List. There are 19 books on the list, 7 are in talking books, and one in Braille. A few other of the books have excerpts or condensations in periodicals which are available on talking book or in Braille. Since this is a brief list, it is possible to go over it in its entirety, and consider each book.

Manchester's Death of a President has excerpts in Look Magazine, which is a talking book. Kazan, The Arrangement is not available. Styron, Confessions of Nat Turner is on talking book. Potok, The Chosen is on talking book. Uris, Topaz is excerpted in Look Magazine. Marshall's Christy is on talking book. Wilder, The Eighth Day is on talking book. Levin, Rosemary's Baby is in Braille. Wallace's The Plot is not available. Stewart, The Gabriel Hounds is on talking book. Sutton, The Exhibitionist is not available. Berne, Games People Play is not available. McKeun, Stanyon Street is not available. Kavanaugh, A Modern Priest Looks at his Outdated Church is on talking book. Levenson, Everything But Money is on talking book. Birmingham, Our Crowd is excerpted in The Ladies Home Journal, which is available in Braille. Stearn, Edgar Cayce: The Sleeping Prophet is not available. Better Homes and Gardens Favorite Ways with Chicken is not available. Diller, The Marriage Manual is not available.

Is there anything that the books which are not available have in common? Kazan, The Arrangement is a book with frank sex scenes. Newsweek says about The Plot, "Wallace has made the ultimate game. This one is about everything: the Kennedy assassination, the Sino-Soviet alliance, the Soviet-Sino split, the Anglo-Franco-Germano-Sino-Soviet-American rapprochement, the Profumo case, the publishing world, the

17 Library Journal, n. d., quoted in Standard Catalog for Public Libraries, 1966 Supplement (New York: The H. W. Wilson Company, 1967), p. 24.

18 Publishers Weekly, n. d., quoted in Standard Catalog for Public Libraries, 1966 Supplement (New York: The H. W. Wilson Company, 1967), p. 35.

19 Cincinnati, quoted in Standard Catalog for Public Libraries, 1966 Supplement (New York: The H. W. Wilson Company, 1967), p. 35.

fashion world, the newspaper world, gastronomy, wiretapping, strip-teasing."²⁰ There we have it again--sex. Library Journal says of The Exhibitionist "The novel is slick, determinedly sexy, well-constructed, very readable."²¹

Again, sex! Diller's Marriage Manual copes with sex in a different way. In a rollicking manner, Phyllis Diller points out some pitfalls to marriages and shows how to avoid them or correct them. Better Homes and Gardens Favorite Ways with Chicken: it is hard to see why this book has been left out, unless the book selectors have no faith in the cooking abilities of the blind. Certainly it is a first-rate book, and I am confident that when we have it hand Brailled, it will be greatly in demand, as all of our other cookbooks are.

The libraries for the blind have done better in surveying their collection with Librarians' Choice 110 Significant Books from All Lands and Times. The most significant omissions are the works of Freud. Neither the talking book collection, nor the Braille collection has a single one of Freud's works. Darwin's Origin of Species is not represented. There is no significant history of art, such as Cheyney's in either talking book or in Braille.

To sum up--what does all of this mean? The libraries for the blind get more than 500 adult titles in talking book and press Braille each year. A small percentage of these are the books listed in the Fiction Catalog and the Standard Catalog, the bulwarks and mainstays of librarians everywhere for book selection. They have far more of the books listed in 110 Significant Books (though I have not checked to see when these books were added to the collection). There are many books in the 1967 Best Seller List not in talking book and press Braille. I do not mean to suggest that all of the 500 adult books added to the libraries for the blind each year should be current titles--obviously some should be standard works and classics missed from former years. I simply say the single starred and double starred books mentioned earlier should be included (unless there is an insuperable format problem such as a picture book). Also, the other current books put into Braille and talking book should be of the caliber of the Standard Catalog and the Fiction Catalog and there should be a diminution of trivial books.

Without going into a detailed analysis of the titles which are available and which are being added each year, I would point out that many of

²⁰ Newsweek, May 22, 1967, p. 100, quoted in Book Review Digest, August, 1967, Vol. 63, No. 5, p. 277.

²¹ Library Journal, November 15, 1967, p. 4175, quoted in Book Review Digest, May, 1968, Vol. 64, No. 3, p. 325.

them would appear to be of doubtful value and still more of them would seem to reflect the standard misconceptions and stereotypes about blindness which I have already discussed. Consider for instance the following 10 titles available in the collection and their description in the Talking Book Catalog:²²

Another Spring by Loula G. Erdman

Divided loyalties in Missouri during the Civil War years are the subject of an appealing novel. It depicts the helplessness of innocent persons displaced by the absurdities of war, but ends on a note of hope.²³

The Best is Yet to Be by Bentz Plagemann

A pleasantly relaxed account of a middle-aged couple who take a trip abroad after their only son is married. Even as tourists they become involved with young people, and the book ends as they hurry home, having learned that they are to be grandparents.²⁴

A Crack in the Sidewalk by Ruth Wolff

Though the Templeton Family lived in a second-floor apartment surrounded by treeless concrete, they could escape every summer to the grandparents' home in the country. Linsey tells of her parents, her sisters and brothers, and how she found a way out through her talent for folk singing. This is a warm, wholesome story with a happy ending.²⁵

Days of Grass by Christian Herald

Readers weary of violence, cynicism, and pessimism will enjoy these stories, taken from the pages of the 'Christian Herald.' Differing in background and length, they are all affirmative in point of view, whether dealing with childhood, maturity, or old age.²⁶

22 American Foundation for the Blind, Talking Books Adult 1966-1967, New York, 1968.

23 Ibid., p. 51.

24 Ibid., p. 52.

25 Ibid., p. 54.

26 Ibid., p. 55.

An End to Patience by Mary Durant

The title contains a neat pun, since this is the story of an amateur production of Gilbert and Sullivan, coached by a teacher in a boys' school. The various personalities of the cast and their interplay are well depicted and the whole thing is extremely entertaining without being at all heavy handed on the satire.²⁷

Fair is the Morning by Loula Grace Erdman

In this pleasant, wholesome, yet realistic story, a young teacher in a rural school finds challenge and opportunity aplenty. It gives an excellent picture of the teaching vocation.²⁸

Here Come the Brides by Geraldine Napier

The bridal department in a fashionable Fifth Avenue department store is the scene of a diverting novel. Twenty-seven-year-old D'Arcy Evans, assistant buyer, can cope with all the crises except that of a new floor manager with unexplained power. In the end, however, the situation is straightened out and wedding bells will ring again.²⁹

Little World Apart by Squire Omar Barker

A family ranch in New Mexico, before the first World War, is the scene of this pleasant, nostalgic story. Fourteen-year-old Jeff tells of roundups, hunting, school, picnics, and the small daily occurrences of a hard but rewarding life. The family relationships are especially memorable.³⁰

The Marriage of Katherine by Dorothy Emily Stevenson

While happily honeymooning, Katherine and her second husband find themselves involved in all sorts of difficulties with other people. But Alex is a tower of strength to his bride and her three children. The Scottish setting and affirmative philosophy lend

²⁷ Ibid., p. 56.

²⁸ Ibid., p. 57

²⁹ Ibid., p. 60

³⁰ Ibid., p. 63.

charm to the narrative.³¹

My Sky is Blue by Loula Grace Erdman

When Jinny left her teaching job in the Middle West for a school in New Mexico, she found a very different life. The problems posed by a one-room school and her efforts to solve them make an absorbing story, with a romantic ending.³²

Three Erdman and no Freud!

All of us tend to be defensive about book selection. The overwhelming reaction, when comments are made on which books we have chosen and which we have rejected, is to defend ourselves and show why we really couldn't have done differently. The whole point of my thesis is that book selectors are just people in their social frameworks as everyone else is and as long as "the culture" says blind people are "different" and, in effect, less valuable, less able to participate and less able to pay their way, these attitudes will come through, consciously or unconsciously, in book selection for them. I haven't really softened my message greatly when I have said the book selectors have done the best they can within the framework of their situation, but I believe they have.

What to do about it? As I have said, all of us connected with book selection tend to be defensive and touchy in relation to which books we select. I believe some of the blind tend to be querulous, inaccurate and negative in their criticism. Rather than complaining that the libraries are loaded with Zane Grey and don't have any good books, why not say precisely what is wanted? (Zane Grey is a good author for some reading needs.) I believe the recently formed Book Selection Committee is a step in the right direction. If independent blind people and groups of blind will vocalize their reading desires and needs to the librarians we will have gone one step further. We can only arrive, however, when the attitudes about the blind and of the blind are transformed so that it is recognized that blindness is merely a characteristic like many another, that blind people cannot be stereotyped and that their hobby reading needs, vocational reading needs, and recreational reading needs are just the needs of people.

31 Ibid., p. 64.

32 Ibid., p. 66.

JERNIGAN TO SPEAK AT NEW HAMPSHIRE CONVENTION

by
Lou Jambard

Dr. Kenneth Jernigan of Des Moines, Iowa, National Federation of the Blind President, is expected to be the featured speaker at the 11th annual New Hampshire Federation of the Blind convention to be held October 19 at Nashua, New Hampshire.

Newly elected president of the NFB, Dr. Jernigan will address the New Hampshire Federation at the annual dinner to climax the one-day meet which will be held at the Veterans of Foreign Wars hall in Nashua. Franklin VanVliet of Concord, National Federation Treasurer also is expected to attend.

Miss Jane Bedard of Nashua has been appointed convention chairman and will be assisted by Edward Vachon of Manchester and Louis Jambard of Nashua. Alfred Beckwith of Concord, State Federation president will officiate at the annual meeting.

The New Hampshire Federation represents nearly 200 members within two chapters. Hollis Little of Concord is president of the Merrimack Valley Chapter and Mrs. Leonard King of Nashua heads the Gate City group.

The Gate City unit, NHFB, will be host for the day-long state conference. Funds for the October convention were raised by the canister drive held throughout the state during White Cane Week.

A business meeting and panel discussions will highlight the morning and afternoon sessions, followed by the banquet in the evening.

CALIFORNIA ENACTS MODEL WHITE CANE LAW

by
Lynda Bardis

[Editor's Note: Miss Bardis is Field Director for the California Council of the Blind.]

Governor Ronald Reagan signed into law in July the Model White Cane bill, SB 369, sponsored by the California Council of the Blind and authored by Senator Donald L. Grunsky (R--Watsonville), Chairman of



GOVERNOR REAGAN SIGNS WHITE CANE LAW

Anthony Mannino, President of the California Council of the Blind, Lynda Bardis, Council Field Representative, and State Senator Donald Grunsky, (R-Watsonville) watch with obvious pride.

the Senate Committee on Judiciary.

Hailed by its supporters as a civil rights law "for the blind, the visually handicapped, and the otherwise physically disabled," the bill makes it the policy of the State of California that these persons shall be encouraged and enabled to participate fully in the social and economic life of the state.

Calling for the cessation of discrimination on the grounds of disability, the bill declares that the blind and disabled have the same right as the able-bodied to "full and free use" of public streets, sidewalks, conveyances, public facilities and places of public accommodation.

The State calls upon the general citizenry to expect to see blind and disabled persons abroad in the community going to and from the places of their work and or recreation, and to take all necessary precautions to secure their safety.

Motorists are required to yield the right-of-way to totally or partially blind persons carrying a predominantly white cane or using a guide dog, and the "driver of any vehicle approaching such pedestrian who fails to yield the right-of-way or to take all reasonably necessary precautions to avoid injury to such blind pedestrian is guilty of a misdemeanor."

One of the most significant features of the new law is the provision which declares that it shall be the policy of the State that blind persons, visually handicapped, and otherwise disabled persons shall be employed in the service of the state and its political subdivisions, in the public schools and in all other employment supported in whole or in part by public funds on the same terms and conditions as the able-bodied. Despite various "Hire the Handicapped" advertising campaigns, blind and disabled persons continue to have difficulty in procuring meaningful employment. The enactment of the White Cane Law should encourage employers to modernize and make equitable their hiring practices.

This bill, conceived and composed by the late Dr. Jacobus tenBroek, noted constitutional scholar and revered president and founder of the National Federation of the Blind, places California among the other twelve states which have adopted similar measures and brings it into the twentieth century with respect to the right of the blind and disabled to live in the world.

Perhaps no other single piece of legislation would have pleased Dr. tenBroek more than this Model White Cane Law, placing his own State in the group which has enacted this civil rights for the blind statute, one of his most cherished dreams.

AN URGENT REQUEST

The Monitor plans to print a list of state and local presidents soon. This information is essential if Bulletins and other announcements are to be received promptly. It will also enable affiliates to know the names and addresses of organizations in other states. We would, therefore, urgently request all state and local affiliates to send in the names and addresses of presidents (even if you think we know them) not later than November 15, 1968. Send the names and addresses to the Berkeley Office, National Federation of the Blind, 2652 Shasta Road, Berkeley, California 94708. Thank you for this cooperation.

VENDING STANDS IN NEW HAMPSHIRE: PART THREE SHENANIGANS TRANSFERRED TO COURT

by
Hugh S. Koford

SYNOPSIS: In prior installments we have learned that Alfred Beckwith, President of the New Hampshire Federation of the Blind, was "fired" as operator of the State House Snack Bar in the basement of the imposing granite State House in Concord, New Hampshire. Upon remonstrance by his legal counsel, the "firing" order was withdrawn and a hearing scheduled before the Appeals Board of the Advisory Commission on Health and Welfare. After two days of hearing this group found that Mr. Beckwith was under the "supervision" of the Director of Welfare, and that there had been "instances of insubordination and obstructive conduct"--that is, when Beckwith had objected to an arbitrary and unnecessary decision to move his vending machines into a dark basement room remote from his snack bar--and this Board recommended that the Director of Welfare terminate Beckwith's license for insubordination. This the Director did as of May 10, 1968; and in an earlier article (Vending Stand Shenanigans in New Hampshire: Part One in the May 1968 Monitor and Part Two in the June 1968 Monitor) we reported that this was only the first skirmish in the battle of Alfred Beckwith against entrenched complacency in New Hampshire.

Now we can report the second skirmish. Mr. Beckwith's legal counsel filed a second Petition for Writ of Mandamus with the Superior Court of Merrimack County. This petition sets forth the applicable federal statutes and federal and state regulations, recites the termination of Mr. Beckwith's license without a fair and proper hearing as required by law, and alleges that the Director of the Department of Health and Welfare of the State of New Hampshire "exceeded the ministerial duties con-

fided to him and acted wholly without authority and contrary to applicable law" in terminating that license. The petition further alleges that the Director of Welfare withheld from Mr. Beckwith funds which by law should have been distributed to him, and the court is requested to order the Director to (1) withdraw the termination of Mr. Beckwith's license to operate the so-called State House Snack Bar; (2) restore Mr. Beckwith as operator; (3) account to Mr. Beckwith for all moneys earned by the State House Snack Bar since May 10, 1968; and (4) account for all moneys withheld from Mr. Beckwith during his operation of the snack bar.

On July 3, 1968 the State of New Hampshire, George E. Murphy, Director of Welfare, by George S. Pappagianis, Attorney General (by John T. Pappas, Attorney) filed an "Answer to Petition for Writ of Mandamus". First, you will recall that at the "hearing" before the Welfare Appeals Board (which may or may not have been a proper hearing agency) Mr. Beckwith's counsel was confronted with an entirely new set of regulations, being the State Vocational Rehabilitation Plan, which Mr. Murphy (the Director) and Mr. Nichols (the chairman of the Appeals Board) insisted were the true regulations which governed the hearing and supported the charges against Alfred Beckwith. In the legal answer filed in court, however, there is no reference to the State Vocational Rehabilitation Plan! Instead, the legal document refers to "State rules and regulations issued on June 8, 1956. . . [and] prior to June 8, 1956". Disregarding this tacit admission that the Director of Welfare doesn't even know what his own rules are, or where they are applicable, this legal pleading is confirmation in writing of the confusion and double-talk which has faced Mr. Beckwith and his legal counsel from the beginning of this sorry affair. Beckwith is accused of violating rules which do or do not apply, and not even the Attorney General of the State of New Hampshire can cleave a straight path through this jungle of administrative mumbo-jumbo. As Mr. Beckwith's learned legal counsel states: "It looks to me as if we're back in the old rules rather than the ones used at the hearing".

Second, after formally denying that the law requires that Mr. Beckwith receive a license, a copy of the rules and regulations of the State, and a copy of the permit by which the snack bar exists in the State House (even though these things are clearly set forth in applicable federal regulations), this Answer alleges that Alfred Beckwith was, indeed, an employee of the Division of Welfare, subject to being hired, fired and "completely" supervised. In fact, of course, the State of New Hampshire has previously never considered Mr. Beckwith to be an employee. There have been no deductions for Social Security (as required by law of employers) no withholding, no pension plan, no civil service status, in short, no nothing that would corroborate the assertion of an employment relationship. In truth Alfred Beckwith was a licensed operator of the snack bar, an independent businessman managing his own affairs; and until de-

cisions affecting the successful continuation of his business were made entirely without his knowledge or approval, he was, more or less, treated as an independent businessman. But now, after the fact, the legal brains of the State of New Hampshire seek to justify an ill-considered action of a relatively minor administrative minion by construing the admitted power to terminate a license (after a fair hearing) as indicative of an employer-employee relationship. More nonsense is placed before the court with the following circuitous and meaningless statement:

"That petitionee's failure to provide petitioner [Beckwith] with the rules and regulations is immaterial as the reason for the termination of petitioner's license is not that he exceeded his space bounds, but that he refused to conform with the new space bounds. . . after he was advised of the new space bounds." In other words, he did not exceed the space bounds, he merely "refused to conform" to new space bounds which were much more restrictive. Or to put it another way, someone drew a chalk line on the floor of the basement of the New Hampshire State House and Alfred Beckwith courageously stepped over that line! In so doing, says this legal document, Alfred Beckwith violated regulations of which he had no knowledge, but this makes no difference because he violated them anyway. It is indeed difficult to read a formal legal paper such as this Answer and yet retain a respect for law, order, and judicial processes. We feel certain, however, that our respect for such things will be amply restored when the attorney for the State of New Hampshire stands before the bar of justice and endeavors to support, presumably with a straight face, such ridiculous statements.

Alfred Beckwith could write a book, probably a very large, thick book, telling in considerable and wry detail of his travels through the administrative labyrinth of the Blind Vending Stand Program as interpreted and misinterpreted in the State of New Hampshire. Beckwith would be the honest, innocent traveler, set upon by the myriad beasts and creatures which prey upon those who dare to venture into the never-never land of bureaucratic mole-hills and pitfalls. Fortunately the National Federation of the Blind is beside him at every turn and twist of the slimy path. There are legal precedents to be set--precedents which will ease the journey of those who must follow Alfred Beckwith's footsteps, or perhaps precedents which will so clarify the law that such journeys are not needed. We salute Alfred Beckwith for his courage and persistence, but we fear that he has one insurmountable problem: if he does write a book about the Vending Stand Shenanigans in New Hampshire, how can he persuade any reasonable reader that his tale is fact, and not fiction?

VENDING STAND APPEALS

At the Federation's convention in Des Moines the panel discussion on Vending Stands, Their Present Status and Future Prospects evoked active audience participation, indicating a widespread concern on some aspects of the vending stand program. During the discussion it became apparent that there was considerable dissatisfaction with some of the actions or inactions of both the Post Office Department and the General Services Administration in the operation of stands and the implementation of the program more fully.

It was brought out in the course of the panel that neither of the Federal agencies had received formal appeals concerning alleged abuses. Apparently the aggrieved individuals have been loathe to file appeals with their state agencies and those state agencies are even more reluctant to appeal to the Federal agency involved. Appeals to the Post Office Department or to the General Services Administration can only be filed through the state licensing agency, not directly by the aggrieved individual.

The Federation feels that a freer use of the appeals route would lead to the correction of many injustices and inequities which seem to be experienced by operators and would-be operators of vending stands and is prepared to do all it can to further this effort. In this connection, following is a letter from Mr. Andrew P. Virden of Minnesota to his state agency:

Ralph Rolland, Director:
Business Enterprises for the Blind
Centennial Building
St. Paul, Minnesota 55101

Dear Mr. Rolland,

I'm writing to you because I feel that the matter concerns you as head of our agency in Minnesota. As you know, I attended the National Federation of the Blind Convention in Des Moines, this past week.

One of the speakers, was Mr. William Patterson head of personnel of the Post Office Department. During his part of the program, Mr. Patterson stated, "that no State Agency had asked for stands in Post Office Buildings, or vending machine locations." Many operators disagreed with him. I was able to present my case, and after the program I was able to talk to Mr. Patterson. He invited me and others, who were present and had the same problem, to have their local agencies direct appeals to him. So I am sending you his address, in his own hand writing. Actual earnings from the Post Office should be cited. The Federation officials feel, that you as Agency Director, should file the appeal. If for some reason, you

do not wish to do so, they will. This I have agreed to. I gave a history of the problem, including the Postmaster's position and the Regional's position as I know it. Mr. Patterson was friendly, and stated, "that as a result of the Federation Convention, that the Post Office Department would have to change current policy." The contact has been made, and it is hoped you will do your part. If for some reason, you do not wish to go through this procedure, please let me know within five days, so that I will be free to go through the Federation. Please take this up with Tom.

Yours truly,

Andrew P. Virden
Post Office
St. Cloud, Minnesota 56301

And here is the reply:

Dear Mr. Virden:

In reference to your letter regarding the sending of an appeal or at least correspond with Mr. Patterson of the Post Office Department, Washington, D. C., I certainly will communicate with him very shortly. I will send you a copy of the communication I have with him as it relates to your enterprise.

Very truly yours,

Ralph Rolland, Supervisor
Business Enterprises Program
Services for the Blind
and Visually Handicapped

MONTANA CONVENTION
by
Susan Ford

The Montana Association for the Blind held its 23rd annual convention in Bozeman during the week end of July 12-14. We Montanans feel that this was perhaps our best convention ever. We served 100 people at our banquet on Saturday night; we welcomed several new members during the convention; and best of all, we were proud to welcome nine members of our newest chapter to the convention (Missoula received its Char-

ter in April of this year).

One of the highlights of the convention was the presentation and adoption of several rather controversial resolutions. The Resolutions Committee worked hard this year by writing five very meaty resolutions which should benefit the blind throughout the state. The first of these pressed for further work to repeal the relative responsibility clauses in the state welfare code. A second resolution called for a committee to publicize President Johnson's White Cane Proclamation, to seek similar proclamations from state and local leaders, and to find where and how the white cane is mentioned in the Montana drivers' manual and drivers' tests. The third resolution directed the organization to offer a year's free membership as a graduation gift to blind high school seniors in the state. A fourth resolution called for a committee who would negotiate with the state rehabilitation agency concerning the "set aside tax" and other problems of vending stand operators. Yet a fifth resolution dealt with raising Aid to the Needy Blind grants proportionately with the increasing national standard of living as determined by the federal government. Though considerable debate was stimulated by some of these subjects, each was adopted by the convention.

Door prizes were again featured at the MAB convention this year. Drawings for prizes and rousing discussion both provided incentive for conventioners to stay in the meeting room.

Other actions taken by the convention included: the adoption of the recommendations of the bylaws committee; a contribution of \$15.00 to be sent to "Good Cheer" magazine; a contribution of \$25.00 to be sent to the Jacobus tenBroek Memorial Fund.

Manuel Urena was the National Federation of the Blind representative at our convention. He spoke to the convention about the NFB and about the Iowa Commission for the Blind. Everyone was considerably impressed; for few of our members have attended an NFB convention and still fewer of them have seen the Iowa facilities. Manuel's remarks were strengthened by the reports of the four delegates to the 1968 NFB convention--Tony Persha, Charles Martin, and Susan and John Ford.

Our convention banquet was held in the Montana State University Student Union, where the convention sessions were held as well. In attendance were the mayor of Bozeman and a candidate seeking election to the national House of Representatives. Our speaker was the Republican candidate for Lieutenant Governor, State Senator Tom Selstadt. Following the banquet, many conventioners "relaxed" at the Bozeman establishment of the Fraternal Order of Eagles.

Sunday morning saw the presentation of election results. All offi-

cers and Board members whose positions had expired were re-elected.

The Northwest chapter did an excellent job as host of the 1968 MAB convention. If conventions get bigger and better each year, blind Federationists in Montana can be enthusiastic.

"HAPPINESS" IS TWIN VISION

by

Jean Scott Neel

Charlie Brown, Linus, Snoopy and all the other delightful "Peanuts" characters are now coming to life for blind children through raised illustrations. "Happiness is a Warm Puppy," by Charles M. Schulz, will soon be published in Twin Vision (braille that is identical to and faces print) by the Twin Vision Publishing Division of the American Brotherhood for the Blind.

Permission has been obtained from the author to reproduce his cartoons in the form of raised illustrations, and the publishers, Determined Productions, Inc., of San Francisco, have donated a large number of the books.

Jean Dyon Norris, Twin Vision Director, said that her volunteer staff would take these books apart, interleave the pages with braille text and raised illustrations, and then rebind them. The books will be distributed, free of charge, to State Schools for the Blind and Regional Braille Libraries of Congress throughout the country, to institutions serving the blind in many foreign countries, and circulated through the Twin Vision Lending Library.

Meanwhile, four original books are in active production at the Twin Vision publishing facility. Written especially for blind children, three of these books belong to Twin Vision's "Shape of Things" series using raised illustrations--"At the Table," "Where Does an Apple Come From?" and "The Shape of Things--Coins." A fourth book, "The White Cane Story" is the first attempt to present to the blind a historical background of their own White Canes and the rights and responsibilities associated with the White Cane.

Work on these books proceeds alongside production of regular Twin Vision Books, twice-monthly publication of Hot Line to Deaf-Blind, braille transcription of individual books for the Twin Vision Lending Library, pro-

duction of braille editions of Great American Documents, braille calendars and other services to blind persons throughout the world.

Twin Vision is the title of the Publishing Division of the American Brotherhood for the Blind, 18440 Topham Street, Tarzana, California 91356.

AMONG OUR SUCCESSFUL BLIND

by
Stanley Oliver

"And here he is, ladies and gentlemen, Stevie Wonder...". To the younger set such an introduction by Steve Allen in a televised network show connotes a real swinger, playing and singing his own compositions, eight of which have made the top ten in record reviews. Not many are aware Stephen Wonder is a totally blind 17 year old gifted entertainer who made it to the top with virtually no formal music education and being born without sight. Born in Saginaw, Michigan, and a Detroiter since the age of three, Stevie has become a sophisticated world traveler from the Orient to Europe and Mexico. Being a blind Negro in the Inner City might appear to some as coming to bat with two strikes already called. That blindness is more of a physical nuisance than a major handicap is easily seen in his career.

Motown, Detroit's famed recording company which helped establish the Supremes and other recording artists discovered Stevie at the tender age of eleven as a local self-taught musical prodigy. Signed to an exclusive recording contract by Motown and booked internationally by Ashley Famous Agency, New York, it became necessary to work out his formal schooling while carrying out over the years hundreds of entertainment engagements. Detroit school authorities turned thumbs down on any arrangement that would make Stevie a part-time student. The problem was taken to Dr. Robert Thompson, Superintendent, Michigan School for the Blind, Lansing, and former president of the American Association of Instructors for the Blind. "If this lad has a chance to make a million dollars by the time he is graduating from high school, we're going to help make it possible." Under Dr. Thompson's direction, Stevie was enrolled as a student of the state school and assigned to him as a private tutor was Ted Hull, at that time just completing his master's degree work in special education.

Since 1961 Ted Hull, now 30 years of age and having only travel vision, has had as an accredited teacher only one student, Stevie. "In

order to give Stevie a chance to be a normal kid among his own age group, we spend as much time as possible at the school. This past year we averaged about two weeks a month. Bookings for the next year make it appear Stevie and I will perhaps see the school about one week out of four. We are now working out a large booking throughout Africa."

Stevie, who has six albums and many single records under his name on the Pamla label, sings, plays the piano, drums, harmonica and other instruments. He works out the melody line himself and works with a consultant on lyrics. Orchestration is left to a music director. The normal traveling group includes three musicians, a music director, a valet chauffeur, a road manager, publicity agent and Ted Hull. All these adults appear on Stevie's payroll. The experiences of Aleck Templeton, Jackie Coogan and Shirley Temple, other child artists who had to go to court to gain control of their earnings will not be duplicated in his case. A legal guardian has been designated and earnings are deposited in a trust fund which becomes his at the age of twenty-one. "He's a good, normal boy," states Ted Hull, "He does not smoke or drink. He has made the transition from child star to a mature 17 year old musician, who lives and breathes music. Above all he likes to make people happy and he does this by competence in music which gives him a real satisfaction." Ted Hull, a composer in his own right, has written a number of songs recorded by Stevie and the Supremes. He plans after seeing Steve through his high school graduation, to establish a talent management business.

"A blind man or woman should make the very best of any talent they may possess," observes Ted Hull. "Take your abilities as far as you can and don't let anything or anyone discourage your personal efforts. I believe strongly in good education and competitive training for blind people. Try to do everything you think you can do. Confidence comes out of reflection on our personal efforts toward personal goals. If you allow stereotypes about blindness to hold you back, by the time you become an adult you will feel that perhaps you really could not have accomplished very much, when you really only failed to test your potentials. I know that I and a number of other blind people are doing jobs that some feel we can't be good at. Well, we're doing them anyway, and it's a lot of fun and a good living. Some of my blind friends have hitchhiked their way around the United States or even in Europe. One of my buddies is a stock broker, now that to me is a tough job for a blind man. I like for my fellow blind to be competent, successful in whatever they do from traveling to operating an IBM computer. I feel pretty strongly that all state schools for the blind should run a credit course on personal dress, grooming and the social graces. The sighted tend to judge our exterior first, so let's make that as acceptable as we can. It's a big help to facing the world as a blind person and getting more of the better things in living." Hats off to a couple of bright young blind men who have made it.

SOCIAL SECURITY BENEFITS

[From the Social Security Bulletin, June, 1968]

At the end of February, benefits incorporating the increases authorized by the 1967 amendments were payable to nearly 24 million persons at a monthly rate of \$2 billion. The additional amounts meant a rise of about 14 percent, overall, in the average monthly benefit, and added about one-fourth of \$1 billion in the total for monthly benefit payments.

On an annual basis, the new benefit rates add at least \$3 billion to the total paid out in benefits. The increases were designed to take into account the rise of about 10 percent in wage levels and about 7 percent in the consumer price index since the benefit adjustments in 1965.

More than \$21 million was payable in the form of lump-sum death payments during February. The average lump-sum payment was \$223.56 per deceased worker.

In February 1968, the Social Security Administration received 490,100 hospital admission notices and more than 40,500 extend-care admission notices for aged individuals covered under the hospital insurance program. Since the beginning of the fiscal year in July 1967, almost 3.7 million hospital admission notices and 288,300 extended-care admission notices have been received. In February, 24,300 "start of care" notices for home health services were received, and the number of notices received in the current year reached 169,700.

Intermediaries drew \$329.7 million from the hospital insurance trust fund in February for benefit payments to institutions such as hospitals, extended-care facilities, and home health agencies providing care to beneficiaries. Almost \$119.0 million was drawn from the supplementary medical insurance trust fund during the month to pay for benefits provided under the medical insurance program. For the 8 months of the fiscal year beginning July 1967, \$2,372.1 million had been drawn from the hospital insurance trust fund and \$894.1 million from the medical insurance trust fund.

Income-maintenance payments under public programs that were nearly \$44 million above the January level (and \$536 million more than the amount for February 1967) reached \$4.6 billion in February 1968. The amount for unemployment insurance benefits declined slightly from the preceding month's total, and money payments under public assistance programs showed a small rise.

More than 9 million persons were receiving maintenance payments

under public assistance programs. The rise of 56,000 from the January total was attributable chiefly to the 1.5 percent increase in number of recipients of aid to families with dependent children. The unemployed-parent segment of this program showed a 5.2 percent growth. Declines in 48 States brought a sizable drop in the number of old-age assistance recipients, reflecting no doubt the rise in death rates among the aged in the winter months. The increases in cash benefits in the OASDHI program, effective for February, undoubtedly played some part in the decline. Nationally, the caseload for aid to the permanently and totally disabled showed a small rise, and in aid to the blind the number of recipients was slightly lower.

BLIND CAN JOIN SOUTH CAROLINA ASSOCIATION

[Editor's Note: An advance copy of the Palmetto Auroran reports the following:]

The Board of Directors of the Association of the Blind of South Carolina recently passed a resolution providing for the admission to membership of all legally blind residents of the State. Membership in the Association had been the subject of litigation. [See the March 1968 issue of the Monitor.]

The annual state appropriation of \$25,000 for the 1968-69 fiscal year had the following provision appended to it "Provided, that the amount appropriated in this section for 'Association of the Blind' shall be conditioned upon the Association admitting to membership any South Carolina resident meeting the definition of legally blind and who is otherwise qualified." The appropriation was released to the Association after the board of the Association adopted the resolution agreeing to admit all legally blind residents of the state into membership of the Association.

The attorneys for the Association have filed a motion wherein they state that the appeal to the order from Judge Lightsey requiring admission to membership of some twelve legally blind residents of South Carolina has been abandoned and requesting that the court confirm the report of Judge Lightsey.

Attorneys for the twelve persons who brought the suit against the Association have been notified that the board has scheduled the Association Convention for Thursday, August 22. It is understood that the board of the Association will meet in Columbia on August 14 at which time action will be taken on all applications for membership received. It is anti-

pated that all legally blind and South Carolina residents who apply for membership will be admitted.

Assuming that the Convention will be held as scheduled on Thursday, August 22, this will be a departure from past days for holding the convention. All previous business sessions of the Association within the memory of Association members and others have been held on a Saturday except in 1966 when the Convention was held on a Friday. Because of intense interest in the Association affairs, it is anticipated that there will be an excellent attendance at this convention.

An amendment to the Association's bylaws has been proposed and has been mailed to the membership of the Association. This amendment reads as follows: "Notwithstanding any provision in the bylaws to the contrary, all directors shall be elected for a term of one year and each shall stand for re-election at each annual convention commencing with the 1968 annual convention". Under the present constitution which was amended some fifteen years ago, only three of the twelve member board could be changed at any one convention. The proposed amendment would, in effect, return the constitution to its original form with respect to the election of the board members. However, at the present time there is an intense interest among the blind throughout the State in the operation of the Association. This is due to a combination of several reasons. One reason seems to be caused by the conservative policies of the Association's present board. There are many who feel that substantial changes in the Association's operation should be made. The present administration has been in office for some twenty years and many feel that change in the leadership of the Association would be beneficial and healthful. The blind over the State would like to have a workshop of which they could be justifiably proud. While most workshops have diversified, the Association still clings almost 100 percent to broom making. While most workshops have membership in National Industries for the Blind and receive large government contracts as a result, this is not the case with the Association. While other workshops have a full-time general manager or executive director, the Association continues to have a part-time director. While our sister State of North Carolina has nearly 200 Blind Workshop employees who earn an average of almost \$70.00 weekly, our workshop has less than 30 blind employees who earn an average of just over \$30.00 weekly. The obvious question is how did North Carolina get so far out in front when the Association has been in existence for nearly 50 years. Once blind women worked at the Association but no more. Many are concerned that the State, which owns the land on which the Association is located, may eventually feel that the land could be put to better use if something isn't done. Several beautiful State buildings have been erected nearby and it is reported that there have been complaints from State officials concerning the appearance of the Association's buildings and grounds. During the past few years the rank and file blind throughout the state have clearly demonstrated the abil-

ity to provide wholesome and outstanding leadership in bringing about tremendous progress in State programs for the blind. Every responsible blind person in the state is equally interested in upgrading the operation of the Association. Charges to the contrary by those who would resist any changes in the operation of the Association are totally without foundation and logic. Many feel that some board members of the Association recognize the need for progressive changes and the blind of the State would welcome any favorable action on their part. It is hoped that the scheduled Convention on Thursday, August 22 will be one of dignity and one that is constructive.

WYOMING CONVENTION

At a summer camp atop Mount Casper, one and one-half miles above sea level, the Wyoming Association of the Blind held its 1968 annual convention on July 20. With moderately primitive camp facilities and soft Wyoming summer breezes, delegates to the convention participated in a variety of activities.

The program included a discussion of library services to the blind led by Gerald Butters, Librarian, Division for the Blind, Utah State Library and two members of his staff, Mrs. Martha Stewart and Mr. Parris Cob. The discussion encompassed improved library services now available and the prospect for future improvements and changes. Smith Shumway, Director, Services for the Blind, Wyoming Department of Education, discussed services available to blind persons in Wyoming as well as needs and improvements to be sought. John Taylor, representing the NFB, discussed the legislative process and pending NFB legislation. Jack Shields, Association President, reported very warmly and favorably on the recently concluded NFB convention at Des Moines, Iowa. Other discussions centered around Association fund-raising activities and other projects involving membership.

The Association elected three officers for the coming year: President, Jack Shields, 340 East College Street, Sheridan, Wyoming 82801; Vice-President, Earl Voogd and Secretary-Treasurer, Arnold Graber. The Association also elected four members to its Board of Directors: Bob Crook, John Eckhardt, Kent Jensen and Mrs. Nellis S. Taggart.

The banquet was attended by representatives of the Lions of Wyoming and was also addressed by John Taylor, representing the NFB. His address dealt primarily with recent discriminations against the blind based

on misconceptions about the nature of blindness and he outlined the steps required of the organized blind to develop real equality of opportunity.

BLIND BOY DELIVERS

SAN BERNARDINO (AP)--Paul Christensen's morning routine is no different than that of other youngsters who deliver the San Bernardino Sun-Telegram.

Out of bed before dawn. . . folds his papers hastily. . . then wheels through the streets winging papers with accuracy.

But Paul is different. He is totally blind. Paul 14, aided by his 12 year-old sister, Janet, delivers 140 newspapers each morning in east San Bernardino. They ride a tandem bicycle with Janet steering while Paul provides most of the pedal power. Janet acts as Paul's eyes. She tells him when and in what direction he should throw the papers.

After three months on the route, Paul still gets a kick out of just throwing the paper.

"I actually enjoy the work more than I do the money" (he earns about \$30 a month, which he splits with Janet) Paul said. "I just love to throw papers I guess."

Paul, the son of Mr. and Mrs. Glen L. Christensen of San Bernardino, became totally blind in 1966. He was born with cataracts in both eyes which were removed when he was an infant, leaving him with fair vision. Then when he was 12, the cataracts returned complicated by glaucoma. New surgery failed.

But Paul's handicap doesn't stop him from leading a normal life.

"I believe if a person has the will and determination nothing can stop him. Of course, I may need help once in awhile, but I just want to be treated like a normal person," he says. Paul is in the eighth grade at Arrowview Junior High School, a school for the visually handicapped. He does well in school and wants to be a criminal lawyer.

Mrs. John H. Jolley, wife of the Sun-Telegram dealer who employs Paul, believes the youth can conquer any task he sets out to achieve because of his fierce determination. "We very seldom have any complaints about Paul's work and he is actually a little above average compared to

the rest of our boys," Mrs. Jolley said. In fact, in one segment of his job his handicap actually works to his advantage. "Paul folds the papers and gets them ready for delivery quicker than most of our boys," Mrs. Jolley said, "after all, he isn't delayed by stopping to read the paper."

BETTER DEAL FOR THE BLIND AT ST. LOUIS LIGHTHOUSE
[From The Machinist, International Association of Machinists]

More than fifty blind workers, members of IAM District 9, St. Louis, Missouri, have ended one of the most unusual strikes in American labor history. The handicapped workers struck for fourteen months against the Lighthouse for the Blind. [See the April and May 1967 issues of the Monitor]

Joseph Cointin, directing representative for IAM District 9, reports that the strike ended with an agreement in principle which provides for:

- * IAM advice and assistance for Lighthouse workers in legal and grievance matters.

- * A guarantee that all strikers will be recalled if they want to return to the Lighthouse.

- * Establishment of a new program of services to the blind, including a professional staff for vocational guidance and a work evaluator to train the handicapped workers for jobs in private industry.

- * Creation of employee committees to set up procedures for handling safety problems and grievances.

In addition, all substandard working conditions at the Lighthouse found by United States Government investigators are to be corrected to comply with United States Labor Department standards.

Cointin explained that the blind workers came to District 9 last year asking the IAM to help them correct intolerable working conditions at the Lighthouse.

The National Labor Relations Board refused to order a representation election, contending that the Lighthouse was a charitable institution and exempt from the federal labor law.

The blind workers were also denied the protection of the Federal

Minimum Wage Act and the Workman's Compensation Law.

When all their efforts to negotiate improvements failed, the blind workers struck the Lighthouse. They joined IAM Local 1345.

Although they had never paid union dues, they received regular strike benefits from the local and from District 9. When the strike entered its sixth month, they also began collecting Grand Lodge strike benefits. The three strike benefits amounted to \$40 a week. In some cases that was more than the weekly wages paid by the Lighthouse.

Cointin reported that the strike settlement came after District 9 requested the St. Louis United Fund to withhold its \$66,000 annual contribution to the Lighthouse. District 9, with 30,000 members in the area, is one of the major supporters of the United Fund.

"With guidelines now firmly established, we can sit down, discuss and work out particular details to re-establish the Lighthouse as a training institution and an employment center for blind and handicapped workers, as it was originally designed to do," Cointin told the Machinist.

The IAM leaders praised the support of individuals, trade unions, labor councils, and ladies' auxiliaries who supported the blind strikers for so many months.

CANDY WILL FATTEN YOUR TREASURY

by
Anthony Mannino

In researching projects which have attractive profit potential, it would be wise to give positive consideration to a local or even statewide candy sale. More and more organizations are turning to the selling of a merchandise item as a means of raising money. For a time-limited and quick turnover operation, candy has already proven to be an excellent vehicle for some of our NFB local chapters and state affiliates. For those who might be interested, a close look at such a program may be of some help in their fund raising explorations.

We all know that the basic requirements for a successful sale are good planning, wise organization and willing personnel. The more of the latter, the better. There must also be a well considered choice of the item to be sold. In California we find the \$1 box of fine assorted chocolates to be a real good seller. But let it be said that the item should be

one that will bring a good profit and yet be an item that is made by a well known manufacturer, a top grade piece of merchandise, well advertised, recognized and happily accepted by the buying public, willingly and confidently sold by your selling personnel.

What are the mechanics and probable costs of such an undertaking? We try to plan so that the sale is carried on during the months of October and November. This still leaves us the pre-Christmas time to sell any excess candy remaining in any area. This span of time also includes the other candy consuming holidays such as Halloween and Thanksgiving. Sale plans are firmly laid out during the state convention at a special meeting of the fundraising committee. A state candy sale co-ordinator is appointed. Order blanks are distributed and filled out with all shipping instructions, and each participating chapter names a local chairman who manages the sale at the chapter level. The important thing is to involve all the members as sales personnel. They in turn sell candy to individuals, enlist the help of other individuals and organizations, solicit bowling alleys and other amusement centers where people are in a spending mood, set up special sales booths in good marketing spots, ask restaurants and shops to display and sell the candy at a front counter and encourage employers to buy cases of the candy to use as gifts for their employees. There are many other areas that can be explored as good outlets for successful selling.

The state chairman is expected to manage and supervise the total effort. He is responsible for accepting all orders and placing them with a manufacturer with proper shipping instructions to the various destinations. He sends out the invoices and bills to the various participating chapters. He collects all payments and banks them in a special account. Finally, he must present a total accounting for the entire project. Local chairmen assume precisely the same responsibility with the individuals, organizations and other outlets utilized by the chapter.

The candy sale is primarily sponsored to help finance organization activities. However, as an incentive to the chapters, the profit is divided equally between the organization, in our case, the Council, and the participating chapters. In this way, everyone gains and the gross sales climb upward because of the local incentive.

Large sales potential gives you good bargaining power with manufacturers. However, many candy manufacturers now have a stock package deal which they offer to organizations as a fundraising proposal. For obvious reasons we will not name the sources but we are certain that they can be found very easily. A word to us will supply you with a few. In California we use a popular brand made in California. The proposal gives us a 40 percent profit with our expenses being absorbed by an added commission on the gross purchase. All freight charges are assumed by the

manufacturer. Advertising on radio and newspapers is also carried on by the manufacturer as well as TV spots where the sale is heavy. The manufacturer agrees to accept the return of all candy in good condition which is not sold by the end of the sale. The candy is packed in portable cartons, 12 boxes to a carton. The candy itself has all the qualifications we stated as necessary in a previous paragraph. The machinery is there with the manufacturer for us to use to promote a very profitable fundraising campaign. Year after year we have been gratifyingly rewarded with a good profit. We are looking forward to another excellent campaign this year.

There are many fringe benefits derived from this type of solicitation. It provides an opportunity to publicize the state affiliate and local chapters. Each box is circled by a narrow band with printed information concerning our organization and its work in behalf of the blind. We have large placards proclaiming the name of the organization and the price of the candy. These placards are distributed to all chapters for use in whatever manner they deem most advantageous to their modus operandi. We also have special brochures concerning our organization and the NFB which bring our message to the public even if they don't buy the candy. All in all, a candy sale will not only give you an expansive showcase for your organization but will also put money in your bank account. Look yourselves over and see if you would like to take it on.

DEAN'S LIST STUDENT

by

David Friend

[From The South Bend Tribune, Sunday, June 23, 1968]

Alyce Wissler, a senior at North Central College in Naperville, Illinois, studies with her fingertips and ears. Alyce has never been off the dean's list since she entered college.

Alyce, who is 20 years old, has been blind since she was one. She is the daughter of Rev. and Mrs. O. D. Wissler, of 2210 Inglewood Place.

She said, "Everything in college has been about the same as it is for anyone else. I do take most of my tests orally and most of my books are on tapes. One time last year, my abnormal psychology textbook was in Braille. It was really funny, though, because there were 24 volumes. My roommate almost had to move out."

One difficulty she had with a textbook was a statistics book. She said, "I got the book on tape but they would be reading along and say, 'There is a graph here but I can't read it.' How did they expect me to. The teacher had to explain all the graphs in the book to me."

She said, "I can take notes as fast as anyone else. I use Braille shorthand and I type almost everything."

Alyce said, "There was one funny incident that I remember. The professor was really concerned at first. She asked me what a circle was. She just couldn't understand how anyone who could not see could conceive what a circle was. A circle to her was seeing it. After awhile, though, she understood."

She has never been off the President's list, the equivalent to a dean's list. Alyce has a 3.7 average on a 4.0 scale.

But studying is not the only thing that Alyce does. Last semester she helped with a campus Christian movement. As her part in the organization, she led group discussions at a school for delinquent girls. She has traveled with the college concert choir until last semester when her study load was extra heavy. She said she would rejoin the choir this fall. Alyce also works with a retarded children's kindergarten once every week.

Last semester she was inducted into the North Central Honor Society. She received the Phyllis Ebbinger grant for \$100 for next year. The grant is a recognition, for service to the school.

Alyce has been accepted by the Experiment in International Living of Putney, Vermont, as a member of the experiment's social service program this summer. She will be living in Switzerland.

She said, "I heard about the program from various people. I decided I wanted to participate in another culture, so I applied. I was accepted before Christmas." She will be living with Frau Alice Hiltbrunner's family in Switzerland. While she is living with the family, she will work on a social service project such as working with patients in a hospital or in an old person's home.



Photo By Russ Reed--Courtesy Oakland (Calif.) Tribune

ROLAND (ANDY) ANDERSON

ANDY'S COMEBACK

[From the Oakland Tribune, August 4, 1968]

Everybody at the Alameda County Courthouse knows Andy Anderson. He was there every working day for 21 years, listening to people pass through the halls--because he's blind.

A self-supporting businessman who ran the concession in the main courthouse lobby, Andy was felled by a stroke. He's confined to Fairmont Hospital where doctors believe he will recover and return to full duty. Andy is taking the stroke like he took his blindness, as a matter of course. He's one of those genial gentlemen who never let life get them down.

A short, fair, pink-complexioned man with a thatch of thin, snow-white hair, he wears large dark glasses and smokes short cigars in a holder. He keeps things he needs close at hand in the pockets of his sports coat. He talks with warm cordiality and a smiling voice as he greets old customers by name or serves a new customer.

Anderson has lived in Oakland all of his life and went to Franklin School and Fremont High School. Glaucoma claimed his sight in 1938. During World War II he worked in a shipyard, sorting nuts and bolts.

In 1946, the same year the stand opened at the city hall, Andy went into business for himself. Initially he was assisted in setting up the concession by the State Department of Vocational Rehabilitation, now he's on his own.

"You gotta get used to doing six things at once around here," Andy said during the interview. He would interrupt his talk to get a sandwich, make change, find a candy bar that some sighted person couldn't see in the racks atop the old wood and glass counter, and deftly pass out packages of cigarettes from cartons behind the counter as people came up and asked for them by brand name.

"Oh, there are a lot of things that are interesting, especially now with all these demonstrations around here. I'm right in the middle of it, you know, with this location.

"There are a lot of things the blind can do. You know they used to give you a job in a factory and say make a broom but that sort of thing is changing now. The State Department of Rehabilitation is nothing to brag about, though. The blind group in this area is really on its own. The state has been very backwards in doing some things, like creating positions for blind telephone operators as they have in some other states and in Europe," Andy said.

His business, his home and his work with the California Council for the Blind and the East Bay Center for the Blind take up most of his time.

CONSUMER GUIDE FOR OLDER PEOPLE

A folding, wallet-size guide to help older people protect themselves against consumer frauds and swindles is proving extremely popular, Federal Social and Rehabilitation Administrator Mary E. Switzer reported.

The "Consumer Guide for Older People" was originally issued for distribution during Senior Citizens Month, in May. In two months, requests were received and filled for half a million copies, and the publication has gone into an additional printing of 250,000.

The guide was developed by the Social and Rehabilitation Service's Administration on Aging, part of the United States Department of Health, Education, and Welfare, in cooperation with the President's Committee on Consumer Interests and HEW's Food and Drug Administration.

Nearly two feet long when open, the guide folds to a handy 2 1/2 by 4 inches and, on its sixteen easy-to-read panels, outlines for the elderly spending cautions and ways to prevent being taken advantage of or swindled.

The guide also contains spaces for telephone numbers of people and agencies important to an older person such as his doctor, health clinic, lawyer, bank, credit union, local social security office, senior citizens center, legal aid society and police station. The back panel is a personal identification card with space for the older person's blood type and notation of any allergies or special health conditions.

The guide offers the following advice:

- * Don't fall for gimmicks offered by door-to-door salesmen. Tell him to come back the next day, while you check with police or the Better Business Bureau.

- * Before signing a contract, make sure you understand and agree with everything it says.

- * Don't be fooled by low monthly payments; know the interest you will pay.

* Check with your doctor or health clinic before buying health "cures."

* Don't use anyone else's medicine.

* Check with your doctor or health clinic before buying glasses or a hearing aid. If they are not properly fitted, they are no bargain.

* Be suspicious of home repair salesmen who come to your door. Before signing any contract, check with the Better Business Bureau on legitimacy of salesman, get other estimates, make sure repairs are necessary and make sure you are not mortgaging your home for a few dollars of repairs.

* Be cautious about "retirement havens" and "easy" ways to make money at home described in "junk" mail you receive. Check first with your local legal aid society, or senior citizens center.

Copies of the "Consumer Guide for Older People" (AoA Publication No. 801) are available from the Superintendent of Documents, United States Government Printing Office, Washington, D. C. 20402, for 5 cents each (\$2.25 per 100). Single copies may be obtained free by writing to the Administration on Aging, Social and Rehabilitation Service, United States Department of Health, Education, and Welfare, Washington, D. C. 20201.

H. R. 17331

H. R. 17331 was introduced by Congressman William F. Ryan of New York as a result of the recent Poor People's March in Washington. The bill establishes a Bureau of Income Maintenance in the Department of the Treasury. Individuals could apply for maintenance benefits by submitting single monthly income statements, and would receive monthly maintenance checks based on the deficiency of their other earnings. A family of four with no money earnings would receive maintenance benefits of \$167 per month or approximately \$2,000 per year. A family of six would receive maintenance benefits of \$245 per month or approximately \$3,000 a year. Enforcement would be on a spot check basis similar to Internal Revenue Service enforcement. The net cost of this measure would be about \$4 billion annually. The author of the measure frankly admits that H. R. 17331 will not eliminate poverty but feels it will be of enormous benefit to the 22 million Americans living in poverty who now receive no public assistance whatever. He estimates that it will increase the incomes

of some 60 percent of the eight million Americans who do receive some form of public assistance. Congressman Ryan admits that his proposal is no substitute for the provision of meaningful jobs to all who are able to work. However, he feels that it would provide a minimal income, with dignity, for those who cannot work, or who cannot get jobs at living wages.

This is yet another of the income-maintenance measures so popular within the last couple of years. Be it said to the credit of the National Federation of the Blind that that organization sponsored more than twenty years ago the McNary and Angell bills which would have provided a national annuity to all blind persons. Also, the Federation tried again for a variant of the income-maintenance plan in the mid-1950's with its Congressional proposal for minimum presumed need allowance in Aid to the Blind programs. A few of the States--notably, California, Missouri, and Pennsylvania--have long achieved this on their own.

It is highly unlikely that H. R. 17331 will "go any place" in this 90th Session of the Congress, scheduled to adjourn within a few months. However, should this measure have any hearings, it would be necessary for the Federation to vigorously contest one section of the measure which now provides that all federally aided public assistance programs shall disregard the first thirty dollars a month of earned income and one-third of the remaining income in making deductions in public assistance payments. This would, indeed, be a big step backwards from the present provision in Title X of the Social Security Act that the first \$85 a month of earned income for recipients of Aid to the Blind shall be disregarded, plus one-half of all in excess of \$85 a month.

WASHINGTON CONVENTION

by
Margaret Osborne

The convention week brought a new affiliate, Grays Harbor County, into the State Association. At the charter membership meeting Dr. Jernigan welcomed the new affiliate into the State Association. He pointed out why the blind people should be members of the organized blind.

President Gronning presented a WSAB charter to the new affiliate at the convention and Dr. Jernigan gave encouraging words to the new affiliate.

The Washington State Association of the Blind held its 33rd annual

convention August 1 through August 3, 1968, Leopold Hotel, Bellingham, Washington.

Keith Ahrens, President of the Whatcom County Association, host affiliate, gave a hearty welcome to delegated members and guests of the convention. He introduced the mayor who welcomed the convention to the city of Bellingham.

President Gronning gave an inspiring Keynote address to a 100 percent delegation to the convention. He pointed out the basic principles upon which the State Association was organized and urged a rededication of the objectives supporting the purpose.

Dr. Robert Kaiser, a prominent ophthalmologist, spoke on "Blindness Problems in Underdeveloped Countries". He gave statistics concerning blindness in various countries and told why blindness was higher in these areas. The informative message created much interest and a question period followed.

Mrs. L. Swanson, Supervisor of Education of Blind Children in the Seattle Public Schools, spoke on new methods of teaching blind children, and displayed several new devices or aids being used in teaching the blind. She told how blind children with low grades were brought up to a three point or better grade level in a few months by the new teaching methods.

Reports of officers and standing committee chairmen were given and their suggested programs were adopted.

The Resolutions Committee presented several resolutions, dealing with the Model White Cane Law, the Guide Dog Law and the Social Security Pass On Provision. One bylaw amendment on membership-at-large was adopted. The special committee on bylaws was authorized to have the bylaws reprinted to include amendments which were adopted since the former printing of the laws.

The Thursday evening session was confined to committee meetings.

The Friday session began with a memorial to the deceased members and a tribute to Dr. Jacobus tenBroek, prepared by Tom Gronning, was read by the minister.

Following the morning business the convention adjourned for the afternoon and a boat trip around Bellingham Bay was enjoyed by all.

Friday evening Dr. Jernigan delivered the banquet address to some seventy persons. The Sweet Adelines, a group of musicians from Bellingham College presented a number of favorite songs and members of the

banquet joined in community singing. During the evening many wonderful prizes were drawn. An eight piece orchestra provided the dance music from 9 P.M. until midnight.

Saturday morning the Nominating Committee gave its report and the following officers and standing committee chairmen were unanimously elected: President, Thomas Gronning; Vice-President, E. Keith Ahrens; Secretary, Nadyne Lessard; Treasurer, Nellie Couch; Legislation, Wesley Osborne; Organization, Sam McGee; Public Relations, Margaret Osborne; Ways and Means, Sylvester Madding; Welfare, Winifred Scott. Nadyne Lessard was elected Alternate Delegate. Following adjournment the newly-elected trustees met to adopt budgets and outline programs for the year.

REPORT ON DEAF-BLINDNESS IN SOUTH AMERICA

by
Dr. Richard Kinney

[Editor's Note: The author is the associate director of the Hadley School for the Blind and a member of the Committee on Services to the Deaf-Blind of WCWB.]

During the month of March, 1968, secretary-interpreter Jean Rid-enour (Mrs. A. E.) and the writer of this report visited Colombia, Paraguay, Argentina, and Chile under the American Specialist program of the Bureau of Educational and Cultural Affairs of the United States Department of State.

Spending approximately one week in each country, we visited schools and rehabilitation centers for the blind, the deaf, the crippled; participated in university institutes, professional seminars, meetings of social workers, medical personnel, and parents of the handicapped; conferred with government officials ranging from municipal health officers to cabinet ministers; promoted through radio, TV, press conferences, and lecture platform both broad public interest and specific special-group interest in the problems and abilities of the physically disadvantaged. Some 15,000 miles of travel and 55 professional engagements were encompassed in 28 days--a rigorous schedule that at several points approached the physically overwhelming, but that nevertheless remained at all times rewarding.

This report will deal in summary manner only with those relatively few but encouraging instances where work with the deaf-blind has already begun or where we encountered what seemed to us fruitful soil for potential

early beginnings.

In the Colombian capital of Bogota, Instituto de la Sabiduria Para Ninas Ciegos y Sordas, is a church school for girls operated by an order of Catholic Sisters that integrates into the student body a special division for the blind. Sister Miguel de la Inmaculada, directress, presented to us a young deaf-blind girl, age perhaps eleven, who is being "trained and evaluated." The child, who sat close to me clasping my hand for many moments, indeed gave evidence of an affectionate, trusting, and cooperative disposition, though communication appeared to be still of a rudimentary or pantomime nature. The essential point is that the school evidences a progressive spirit and is sincerely interested in carrying forward the training of the first deaf-blind child in Colombia actually undergoing instruction.

Dr. Hernando Pradilla, the vigorous young director of Instituto Nacional Para Ciegos, is endeavoring to bring about greater coordination among Colombia agencies serving the blind. Dr. Pradilla informed us that a deaf-blind boy was about to be admitted to a school for the blind in one of the country's smaller cities. He assured us that he will take a personal interest in the lad's progress.

Dr. Hector Cadavid-Alvarez, Bogota-based director of the Hadley School's division for northern Latin America, who also holds a responsible position in the World Council for the Welfare of the Blind and is a member of the Board of Trustees of the Lions-sponsored rehabilitation center for blind adults pioneering in this field, is aware of one mature deaf-blind person receiving employment training. At the time of our visit, the result was still in doubt, but here again a beginning had been made.

Dr. Antonio Ordonez, Colombia's Minister of Health, who used the Tellatouch braille communication device with me during a televised interview in his office, promised sympathetic consideration for collaborative pilot programs for either the blind or deaf-blind, in spite of the fact that his country faces great tasks in raising the educational level of even its unhandicapped citizens.

Senora de Gomez Vezga, director of Instituto de Rehabilitacion de Audicion y Lenguage, an excellent Lions-sponsored school for deaf children, expressed interest in undertaking the education of one deaf-blind child following our conference with her staff.

Colombia is definitely a country ripe for further progress in special education.

In Asuncion, capitol and chief city of subtropical Paraguay, a country where only 1 percent of the general population reach secondary educa-

tion, we were not surprised to learn that only one school for the blind-- 34 students--exists in the whole nation. Further, the school for the blind is open only in the afternoon, the building being rented during the morning to a group teaching deaf children. Herein lies a potential collaboration that may make possible education of the first deaf-blind child in Paraguay. Both Srts. Angela Alba Sotomayor, directress of the Escuela de Ciegos Santa Lucia and President of the Asociacion de Educadores de Ninos Excepcionales and Sra. Arsenio Acosta Melgarejo, Directress of Escuela de Fonoaudiologia are devoted and able persons. Both schools were founded during the past decade, a heartening point that counter-balances the still unpretentious scope of their programs.

Two deaf-blind children are receiving what we judge to be excellent instruction at the Helen Keller Institute for the Blind in Cordoba, Argentina, under the able administration of Miss Susanna Crespo, who has studied at Perkins School in the United States. It was our pleasure not only to confer with Miss Crespo at the school, but also to introduce her at our public lecture in Cordoba to explain the Tadoma vibration method of communication.

In Cordoba we were also pleased to meet through the Voice of America a highly intelligent young man in his late twenties who lost his sight six years ago and is now losing his hearing. We are working with him both through our Hadley division for southern Latin America in Buenos Aires and directly from Winnetka by correspondence. We feel that he has the potential to become an outstanding example of an adult deaf-blind person capable of full and active living as a citizen of his community.

We were unable to discover active work with either deaf-blind children or adults in Chile, though we were greatly impressed by the capability and dedication of Senor Juan Escobar, director of the Chile School for the Blind in Santiago. This well-run school was founded, by the way, following a visit many years ago by Dr. Helen Keller. We were touched when the Spanish-speaking children of the school responded to my lecture by rising and singing THE STAR-SPANGLED BANNER in English, a truly gracious gesture on which they had worked for many preparatory days!

We are fortunately developing a personal relationship with several key ministers in Chile that may in time eventuate in introducing work with the deaf-blind persons, at least on a pilot-experimental basis. A Chilean Cabinet Minister agreed with us during an interview that a law on the Chilean statute books forbidding blind people the vote ("They could not, after all, Dr. Kinney, SEE the ballot!") should for obvious psychological reasons be stricken from the records and provision made, as in the United States, for a polling judge to assist a blind person in marking his ballot.

All leads regarding deaf-blindness uncovered in South America are

of course being followed up, and public information here in the United States regarding the double handicap has been considerably furthered as a result of the trip. A 13-minute video tape interview with the writer of this paper by Senator Charles H. Percy has been widely disseminated. A five-minute tape recorded report on the trip has been distributed to more than 400 radio stations in the United States and abroad by the Bureau of Public Information of the Department of State. Coverage in the general press and professional literature continues. As associate director of the Hadley School for the Blind, I can certainly promise that my own organization will sustain and extend educational opportunities for persons who are deaf-blind.

Mrs. Ridenour and I thank most sincerely for their invaluable cooperation the considerate, helpful, resourceful personnel of the Department of State and Voice of America, our colleagues at the Hadley School and in other professional organizations, the members of service groups, especially the Lions, and the many wonderful friends we were privileged to meet on the journey. Indeed we cannot lose when our friends outnumber our problems.

HANDICAPPED CHILDREN BILL SUPPORTED BY THE NFB

On July 16-17, public hearings were conducted by the Select Subcommittee on Education, Committee on Education and Labor, House of Representatives, on H. R. 17829 and similar bills.

Introduced in the House by Congressman Dominick V. Daniels, New Jersey, and developed and sponsored by the federal Office of Education, Bureau of the Handicapped, the proposal would authorize the Commissioner of Education to make grants or contracts to public or non-profit private agencies for the development and carrying out of 100 experimental early--pre-school--education programs for handicapped children. H. R. 17829 provides that these programs should be distributed to the greatest extent possible throughout the Nation and shall be carried out both in urban and rural areas.

Programs, established or supported under the measure, shall be designed to facilitate the intellectual, emotional, physical, mental, social and language development of handicapped children, encourage the participation of the parents of such children in the development and operation of the programs, and acquaint the community to be served with the problems and potentialities of such children.

The bill was endorsed in the hearings by government witnesses and representatives of national organizations in the handicapped field, including Irvin P. Schloss of the American Foundation for the Blind and John F. Nagle of the National Federation of the Blind.

During the course of the two-day congressional consideration of the measure, witnesses and committee members alike made it emphatically clear that "early education" referred to in H. R. 17829 is intended to mean educational help and assistance to handicapped children and their parents from the birth of such child until it is eligible to enter grade school, usually at the age of six.

In presenting the supporting views of the organized blind, John Nagle declared:

"As blind adults, . . . we of the National Federation of the Blind give our support to H. R. 17829 because we are determined that physically and mentally impaired children must be assured a fair chance to achieve and live normal lives in spite of their disabilities. As blind adults, we know from our own personal experience that worthwhile, productive lives can be achieved by disabled persons, for many of us have done so. We seek for the handicapped children of today and of tomorrow a better opportunity than we had as disabled persons yesterday.

"Born blind or becoming blind in infancy a child needs the learned assistance of those trained and educated to deal with the problems and perplexities of blindness. When the blind infant must wait until he is age six and eligible to enter grade school to receive such help, he must first unlearn much before he can begin to learn what he must know.

"In short, . . . the blind child must unlearn much that he has acquired from well intentioned but totally unqualified family members before he can begin to learn from professionally qualified teachers and other specialists engaged in the education of blind children. Parental love and parental efforts, however lovingly conceived and intended, are just not enough preparation for a blind child who must live his entire life without sight."

Nagle concluded his remarks to the committee, stating:

"President John F. Kennedy once said in connection with a pending Medicare bill for the elderly, that a nation is judged by the care and consideration it shows its older citizens. But even more, we believe, a nation should be judged by the extent to which it assures equality of opportunity to its children made unequal by physical and mental impairment."

PROFILE OF AN OUTSTANDING SOUTH CAROLINIAN

by

Donald C. Capps

[From The Palmetto Auroran]

"She has done more to improve the image of the blind of this State than anyone I know." So spoke Dr. W. Laurens Walker, long-time Superintendent of the South Carolina School for the Blind, in referring some years ago to Catherine Virginia Barton Morrison. A glimpse into Catherine's life will attest to Dr. Walker's glowing observation.

Catherine is a native of the industrial Piedmont section of the state being born in Anderson. Her parents were Hattie and Milton Barton, who later moved to Easley in Pickens County, where Catherine grew up. She was one of eight children being the middle of four brothers and three sisters. Catherine attended the Easley Schools and after reaching high school, she was stricken with meningitis at the age of fifteen, which robbed her of her sight and left her totally blind. This tragic illness and loss of sight was quite naturally a shock to this teenage beauty and to her family, but this very same young lady was destined to become one of the State's most prominent citizens. The transfer from Easley High School to the State School for the Blind was not an easy adjustment, but Catherine proceeded to make an excellent adjustment and became one of the school's most popular students. After graduation, for the next few years, Catherine spent most of her time at home with her family, but she frequently visited many of her former schoolmates throughout the state.

Unfortunately, employment opportunities for the blind were scarce at that time, but in 1941, Lady Luck smiled on Catherine, as she was employed as the operator of the vending stand in the State Capitol. This opportunity provided new dimensions for Catherine's life. It was the beginning of a colorful career, which has gained for her literally thousands of friends throughout the State. Catherine's warm and radiant personality has had an uplifting influence on both the humble and the mighty. For virtually a quarter of a century spanning the period from 1941 to 1965, Catherine was a pillar of strength for the blind at the State Capitol. With grace and charm she gained the love and respect of all those with whom she came in contact, which includes a host of dignitaries including three Presidents of the United States--President Dwight D. Eisenhower, President John F. Kennedy and President Lyndon B. Johnson. She also had the occasion of meeting former Vice President Richard Nixon. Other celebrities who visited with Catherine at her popular vending stand located in the lobby of the State House included Judy Garland and John Wayne of movie stardom. Television personalities include Chuck Connor, Ben Cartwright and Joe Cartwright. Catherine has enjoyed the rich experience of knowing all of the Governors of South Carolina who served during the twenty-four years she operated

the State House vending stand. In order they were: Governors Burnet R. Maybank, J. E. Harley, R. M. Jefferies, Olin D. Johnston, Ransome J. Williams, J. Strom Thurmond, James F. Byrnes, George Bell Timmerman, Ernest F. Hollings, Donald S. Russell and Robert E. McNair. Many of these distinguished men went on to serve in the United States Senate, as both present United States Senators--Honorable Ernest F. Hollings and Honorable J. Strom Thurmond--were former Governors. Former Governor James F. Byrnes not only served in the Senate of the United States, but distinguished himself in many public offices, including that of Secretary of State and also served as a Justice of the United States Supreme Court.

Catherine quickly learned the traits of each Governor, and was a favorite with all of them. She will proudly tell you that "she helped to raise Governor McNair" as she had been at the State House a long time when he broke into politics as a freshman representative from Allendale County in 1951. She and Governor McNair have been very close friends over the years. Catherine saw many members of the General Assembly "come and go" during her tenure. Only a few members of the legislature who were there in 1941 continue to serve. Some of these are Senators Edgar A. Brown and Marion Gressette, and House Speaker Solomon Blatt. Catherine not only won the admiration of the State officials and other celebrities, but was equally attractive to many other people and groups visiting or touring the State House, including thousands of school children throughout South Carolina.

One day, shortly after she assumed her new post at the State House, a gentleman employed with the Department of Corrections by the name of Mr. Jessie B. Morrison happened to be at the State House and was attracted by her loveliness. He could hardly wait to get home to tell his son, Jack, about the beautiful young lady he had seen at the State House. Jack had been blind for only a short while, having lost his sight in a gas heater explosion. Mr. Morrison encouraged Jack to become acquainted with Catherine and Jack quickly responded. At the time Jack was attending the University of South Carolina, but found time to visit with Catherine, which developed into a courtship that flourished. On June 26, 1943, Catherine and Jack were married, and for the next twenty-three years life took on a new dimension of happiness for both of them. Because of their blindness they had a greater understanding and appreciation for each other. However, in no way did they permit their blindness to circumscribe their lives. One and half years later, in January, 1945, the birth of their first son, Jimmy (James B. Morrison, Jr.), brought great joy and happiness into their lives. In 1948 their second son, Mike (Robert Michael) was born. Today Jimmy is a senior at the University of Georgia studying to be an architect and an interior designer. Mike is in his second year at Montreat Junior College in North Carolina. Both Jim and Mike are extremely fine young men. Three years ago Catherine's indomitable spirit



CATHERINE MORRISON OF SOUTH CAROLINA

and courage was put to the acid test. As in 1965 Jack became ill and a few months later, on February 15, 1966, his illness proved fatal. He was a cancer victim. Like Catherine, Jack was energetic, industrious and possessed of a warm and friendly personality. His untimely death at a relatively early age has made adjustment difficult for Catherine, but she has shown her true mettle, as she continued to carry on.

In the summer of 1965, or a few months before Jack died, Catherine was given a greater employment opportunity, as she transferred from her vending stand at the State House to accept a more profitable stand in the new Rutledge Building, which she now operates. At her new location, she has made many new friendships. She is affectionately called "Miss Kitty" by many of her admirers, including several staff members of WIS Radio and T. V. located nearby.

For many years, with other members of her family, she has been a faithful member of Arsenal Hill Presbyterian Church. Presently she is Chairman of one of the women's circles in her church. Catherine does not have a great deal of time for special hobbies, as her job is rather demanding of her. However, she enjoys meeting new people and making new friends, which is probably her greatest attribute, as she does it so well. She does find time to work in her yard, and each spring she plants a little garden where she likes to putter. Her specialty is growing tomatoes. For all of her adult life Catherine has been interested and active in work with and for the blind. She is a charter member of the Columbia Chapter of the Aurora Club, and for many years has been a member of the Association of the Blind. She has served the Aurora Club on both the local and state level in many official capacities. Presently she is a member of the Board of Directors of the South Carolina Aurora Club of the Blind, and also serves as a Trustee of the Aurora Center. On many occasions, Catherine has represented the Aurora organization at various meetings. In 1965 she was the Aurora Club's official delegate to the Washington, D. C. Convention of the National Federation of the Blind. At all of the fifteen annual benefit suppers sponsored by the Columbia Chapter, each time she served as hostess greeting literally thousands of Columbians on behalf of the organization. She is not afraid of hard work. While she will tell you she is no longer sweet sixteen, she never fails to participate in the three-night canvass held at the time of these annual suppers, and she always sells more than her share of the tickets.

Because she was held in such high esteem at the State House by members of the General Assembly, plus her understanding of the problems of the blind, Catherine has always been very influential in any legislation affecting the State's blind. Without her, it would have been difficult, if not impossible, for much of the important legislation affecting the blind to have been passed. This is especially true of the bill introduced in 1965 to establish the South Carolina Commission for the Blind, which

was major legislation that did not become law until 1966. Catherine has always remained steadfast once she determined the wisdom of a cause. Perhaps the greatest single moment of her dedication and devotion to a cause in which she deeply believed occurred in March 1966. This was succinctly described in an article appearing in the May 1966, edition of The Palmetto Auroran entitled, "Profiles of Auroran Courage", which reads in part as follows: "During the 1965 and 1966 sessions of the General Assembly, when the Commission Bill was being considered and studied by various legislators and legislative committees, the Bill faced many crises which required not only prudent but very prompt attention. Day to day developments concerning the progress of the Bill were vital, making it necessary to be constantly apprised of certain situations which could be given effective action. When it was learned that the Ways and Means Committee of the House of Representatives was to hold an important public hearing March 9, 1966, on the blind Commission Bill, it was recognized that effective contacts had to be made at the proper time with all 27 members of this committee. . . The old issue of division among the blind themselves was again at stake. After considerable thought, a decision was reluctantly made to request the one blind person who would have more influence on the 27 member Ways and Means Committee than any other blind person in South Carolina to personally talk to each and every member of this committee concerning this crucial hearing. Even though her beloved husband had passed away less than three weeks earlier, Catherine Morrison, recognizing the extreme importance of the hearing, courageously agreed to the assignment, and on the morning of the hearing she completed the job. It is history now that the Ways and Means Committee promptly reported the Bill out favorable following the hearing. The love and respect for Catherine by the legislature was clearly reflected in this instance gained over a two and one-half decade of service in the State Capitol's Vending Stand. The South Carolina Aurora Club of the Blind salutes Catherine for her great courage shown under very trying circumstances."

Because of his great appreciation of Catherine's many qualities which he observed over the years, Governor Robert E. McNair appointed her as one of the two blind members to serve on the five member Board of the South Carolina Commission for the Blind. As one of the five Commissioners, Catherine has been able to contribute to the growth and the development of the newly created agency in which she takes justifiable pride, especially since she played a leading role in its creation. While it is not possible to accurately assess the true extent of Catherine's contribution to her fellow blind, her community and her country, the noble and worthwhile things that she has accomplished in her useful life are things that will serve others for generations to come. Because of her willingness to work and to support her family, when there was temptation to give up, because she has smiled when it would have been much easier to cry, and because she has stood up for the things which she believed in

when it would have been easier for her to remain silent, makes Catherine Morrison an unusual and unique individual and sets her apart from the average woman of today.

BLIND PEDDLER ARRESTED
[From the South Bend (Indiana) Tribune]

Clyde D. Sharpe, 55, of 1729 S. Ironwood Drive, was arrested at his stand in the Farmer's Market, 760 S. Eddy Street for alleged violation of the state fireworks law.

Sharpe, who is blind, was booked on charges of possession and display of fireworks and released on his own recognizance on the authority of Capt. Frank Arsenault, head of the police Juvenile Aid Bureau. Under the state law, he could receive a \$100 fine or 90 days in the county jail or both.

The arrest was made by two detectives after investigation into a fireworks accident Saturday near the market. John Downs Jr., 12, received first degree burns to his right hand after a paper sack with fireworks ignited in his hand. The Downs youth told police he purchased the "rockets" at the Farmers Market.

Detectives sent to Sharpe's stand in the market, where legal fireworks also were being sold, purchased illegal fireworks, according to Detective Sgt. Henry Kruszewski. Sharpe was then arrested by Kruszewski and Detective Sgt. Cloyde Coffman and taken to police headquarters where he was charged. The illegal fireworks, including those purchased by Sgt. Kruszewski, totaling between 300 and 400 pieces, were later turned over to the property clerk. Battalion Chief William Diedrich, Jr., city fire department, examined samples of the confiscated fireworks and said he considered them illegal.

Sharpe, blind after a farm accident and illness, refused to say where he purchased the fireworks, the detectives said.

None of the fireworks were made in this country, but imported mostly from Japan, according to detectives.

SUMMARY OF THE AD HOC MEETING OF
MEMBERS OF THE INTERNATIONAL FEDERATION OF THE BLIND
London, England

July 16 and 17, 1968

President Rienzi Alagiyawanna convened a meeting of members of the International Federation of the Blind who were able to be in London. The meeting was held at the Mandeville Hotel.

The following were in attendance at all or part of the meeting:

From IFB Affiliates

Achille Dyckmans and M. De Wulf of Belgium
Rienzi Alagiyawanna of Ceylon
Dan West, Thomas J. Parker, and R. McCaulley of England
Andre Nicolle of France
Dr. Horst Geissler of Germany
General B. A. r. o. Aramis Ammannato of Italy
Henri B. Frieman and Dirk Koster of the Netherlands
Russell Kletzing of the United States of America

From Countries not Presently Affiliated with the IFB

A. Mermod of Switzerland
M. Schuller of Luxemburg

The group agreed that its function was that of discussion and recommendation to the President and the Executive Committee. This was because it consisted of those who were able to be at the site of the meeting and did not represent an official organ of the International Federation of the Blind.

The meeting was commenced by a review of the status of the organizations of the blind in the countries attending. Mr. Kletzing announced the results of the ballot by mail of the Executive Committee concerning the time and place of the convention of the IFB. The vote was to hold the convention in Colombo, Ceylon, a few days before the meeting of the World Council for the Welfare of the Blind which is scheduled for New Delhi, India. Although the exact dates are not known, this will probably be in late October 1969.

After discussion of the convention, it was the feeling of the group that prepared papers combined with panel discussions offered

a very desirable format for the convention. Items suggested for the agenda were:

1. Variations in the definition of blindness among countries and the desirability of establishing a uniform definition.

2. Reports of the following committees:

- a. The Committee on the Education of Blind Children
- b. The Committee on the Employment of the Blind
- c. The Committee on Mobility and the White Cane

3. The relationship of the IFB to the World Council for the Welfare of the Blind.

4. The degree of independence from government control which is considered necessary for membership in the IFB.

5. Whether organizations of the blind should be eligible for membership if they exclude some classes of blind people.

6. The elimination of customs charges on braille books and appliances for the blind.

7. The relationship of the blind to other handicapped groups in achieving social progress.

It was the consensus of the group that the convention should consist of two days of business meetings followed by a day of recreation and tours with an executive committee meeting the day before the convention opens.

It was the recommendation of the group to the Executive Committee that an Executive Committee seat be offered to a representative chosen by the National League of the Blind of Great Britain and Ireland. The Executive Secretary will present this for a written vote to the Executive Committee.

The financing of attendance at the 1969 convention was discussed. The National League of the Blind of G. B. and I. will look into the availability of funds that have been previously raised to organize blind workers. Concern was expressed by the representative from the United States that substantial contributions from that country might be interpreted as undue domination of the IFB. After considerable discussion, the group concluded that contributions might be sought from

the American Brotherhood for the Blind, a sister organization of the National Federation of the Blind of the United States, for convention attendance. Any such contributions should be furnished to the IFB to be made available to delegates by the President with the approval of the Executive Committee.

After discussion, it was recommended to the President that Dr. Isabelle L. D. Grant be named liaison officer for the IFB.

There was a discussion of possible sources of funds for the IFB. The National League of the Blind of G. B. and I. indicated that it would consider seeking contributions from its members and also from the international trade union movement.

There was a discussion of likely new affiliates. The National League of the Blind of G. B. and I., which represents Northern Ireland, will contact the National League of the Blind of Eire to ascertain its interest.

Andre Nicolle discussed the findings of the late M. Gerber in his visit to North Africa for potential affiliates. Morocco has a very small organization of the blind which is strongly influenced by a princess of the country. It is not at present a likely candidate for affiliation. The Algerian Association of the Blind was created by the government. All blind people must be members. It operates workshops which are very successful. It may seek affiliation. In Tunisia there are two organizations of the blind -- the National Union of the Blind and the National Association of the Blind. The National Union conducts schools and agricultural rehabilitation centers. The government strongly encourages the employment of blind telephone operators. The National Union is a possible affiliate.

Andre Nicolle will circulate a full report of M. Gerber's investigation to the Executive Committee and will continue efforts to obtain affiliates in North Africa.

M. Gerber incurred some costs in excess of the grant made to him for the North African trip. The group felt that these should be reimbursed to his family.

The Swiss Organization of the Blind, which was represented by M. Mermod, indicated that, subject to proper authorization, it would join the IFB within the next year.

Dr. Geissler reported that the Austrian Association of the Blind had not joined the IFB because it could not meet the expenses. The group felt that Dr. Geissler should urge that association to join to provide additional strength to the IFB and that perhaps funds could

be found to assist attendance at meetings and conventions.

The group felt that the Iranian Organization of the Blind should be invited to attend the Colombo convention.

Henri B. Frieman indicated that he was in touch with an organization of the blind in Western Samoa and that there is an organization in Peru which may be a possible future member.

Mr. Dirk Koster agreed to become editor of the IFB Newsletter. It was recommended that if possible the newsletter be published in English, French and Spanish. Andre Nicolle agreed to arrange for the translation from English to French. Russ Kletzing will contact Maria Clara Garcilazo in Argentina to ask her if she can translate the newsletter into Spanish, since she is a professional translator. It was decided that the deadline for submission of material for the newsletter would in the future be July 1 and January 1. The next edition will be sent out as soon as possible.

Reports were given by the three standing committees. Mr. Koster has sent out questionnaires to European and Western Hemisphere countries. It was suggested that information on the education of blind children might also be obtained from UNESCO, or that UNESCO could obtain it from the different countries. It was suggested that a resolution be presented at the Colombo convention urging that braille books be made available for borrowing throughout the world.

Horst Geissler reported on the work of the Committee for Employment. A compilation of existing legislation is being prepared.

Russell Kletzing reported for the White Cane and Mobility Committee. He will prepare a report based on the information gathered by Dr. tenBroek on the use of the white cane throughout the world. A concern of the blind people in some countries is that the use of the white cane might become mandatory. Tom Parker reported that long canes could not be purchased in England unless an extensive and expensive travel course is first completed. M. Schuller, Vice-president of the Luxemburg Association of the Blind reported on the organization of the blind in his country. He will recommend that his association join the IFB.

The Executive Secretary will send a list of addresses of affiliates to everyone interested. It was recommended to the President that Russell Kletzing remain as Acting Executive Secretary until the Colombo convention, at which time this situation could be reviewed.

Prepared by Russell Kletzing,
Executive Secretary

TROUBLE IN INDIA

[Editor's Note: The following editorial from "The Indian Express" indicates that management of agencies for the blind has its problems in foreign countries even as in our own.]

It is good that New Delhi's institution for the blind, which was the scene of a cruel attack on its helpless inmates last week, has been brought to normal working again. But the need for a thorough probe into the outrage remains. Under whatever colours they may be sailing, the offenders must be identified and brought to book. The guilty men are not only the goons who used their lathis on the defenseless boys but also those who hired them. It should not be difficult to find out who they are.

There have been serious complaints about the working of the institution for the blind for a number of years. In an inquiry held by the Social Welfare Board three years ago, many malpractices were revealed and a merger of the institution with the school run by the Blind Social Welfare Society was recommended. For obvious reasons the management of the institution did not like this recommendation and stalled the merger plan. The government reacted by stopping aid to the institution but showed little concern for its blind inmates in letting the management run it the way it liked. The institution has since then subsisted on public charity, with no one to ask how the funds are being utilized. The large number of ill-treatment complaints made by the inmates from time to time point to the need for a thorough inquiry.

No less shocking than the behavior of the management was the attitude adopted by the police and the Delhi Administration to the blind boys after last week's incident. Hungry boys, many of them with serious injuries, were left to fend for themselves for three days. Denied food by the management, they waited for kindhearted outsiders to give them succor. No help was rendered even to the injured boys by the police who are reported to have taken the view that it was not their duty to take them to a hospital. On the plea that an organization like the institution for the blind requires no license, the Delhi Administration appears to have washed its hands of the affair. It is a strange kind of welfare state we seem to be living in.

An inquiry into the working of the institution, as suggested by Mir Mushtaq Ahmad, former Chief Executive Councillor, is necessary, but last week's incident calls for stern action to set matters right. Those responsible for this outrage deserve exemplary punishment.

REHABILITATION OF THE BLIND STUDIED

by

Alvin S. Goodman

[From The Challenge, Pennsylvania Department of Public Welfare]

Eight years ago a South Korean teen-age girl met a blind orphan boy who had come to speak to her Girl Scout troop.

That meeting resulted in her decision to "adopt" the 14-year-old boy as a brother and to devote her life to the vocational rehabilitation of blind persons in her native country.

Miss Kyoung Sook Suk, now 25 years of age is currently in Pennsylvania for a year to learn all she can about the vocational education, training and employment of blind persons. With this knowledge she intends to return to South Korea and help establish the first rehabilitation program for the blind in that republic.

The Pennsylvania Department of Public Welfare through its Office for the Blind has been serving unofficially as host for Miss Suk (pronounced Sock). Personnel in the Office for the Blind helped Kyoung come to the United States and helped plan her itinerary in this country.

Because of her limited funds, which have come from a variety of donors including many eye doctors in the State, vocational rehabilitation counselors, home teachers for the adult blind and caseworkers working out of the Office for the Blind's six district offices have been taking her with them on their rounds.

Since last October when she arrived in this country, Kyoung has been visiting sheltered workshops for the blind, rehabilitation centers, eye clinics and similar facilities, as well as schools for the blind and training centers.

Instrumental in bringing Kyoung to Pennsylvania were Dr. Alton G. Kloss, superintendent of the Western Pennsylvania School for Blind Children at Pittsburgh, and Mrs. Paul C. Craig of Wyomissing. Dr. Kloss's school established an international teacher training fund to receive donations for Kyoung, the first trainee, to finance her trip.

One of Kyoung's major objectives is to select specific vocations successfully performed by blind Pennsylvanians which can be done by blind persons in her country. Currently there is no vocational rehabilitation program for blind Korean adults. For nearly all the 60,000 sightless Koreans, vocational opportunities are limited to three occupations: massage; grinding and mixing herbs in the preparation of Eastern medi-

cines; and acupuncture, a Chinese form of vaccination.

Kyoung plans to return to her hometown of Seoul, South Korea's capital, and help a Korean ophthalmologist and others establish the nation's first vocational rehabilitation center for the blind.

LETTER FROM A CONVENTION GOER

[Editor's Note: The following letter from a Monitor reader presents an interesting slant and, we hope, will provide reaction.]

Everyone in life has a philosophy by which his actions are guided. Besides an overall view of life, each philosophy is fragmented from the whole to cover specific sociological and individual occurrences. The fragmented philosophical operandi is held with various shades of commitment. The range is from vacillation to outright dogmatism.

There is almost total agreement between administrators and all other echelons of workers in the field of work for the blind, that every aspect of the rehabilitation or habilitation process aim toward total integration of the blind into society. There are exceptions of course. Separation of the visually impaired if suggested as a means of appropriate service, results in heated denunciations of the promoter of such thoughts as a reactionary, old-style thinker and dead beat. This, in my opinion, is as it should be.

During the years passed I have attended numerous conventions, institutes, and other well attended affairs in which work for the blind was advanced. These affairs almost always included totally blind, partially sighted and, of course, fully sighted persons. After attending a number of these sessions, I began to notice an interesting pattern. When the conference or seminar broke for coffee break, disbanded for lunch, or completed the day's program, the interaction between sighted and blind took a definite turn. The blind, with exceptions of course, were left to fend for themselves and, in the main, were almost completely ignored. Few blind persons were asked to join in any social activities or even to break bread. Rarely were the blind workers invited for dinner or asked to join a social gathering or even guided to their hotel rooms or areas of interest.

To make sure that this observation was not unilateral, I asked a number of my professional colleagues about their experiences and, with-

out exception, all responses corroborated my observations.

These experiences leave blind persons disconcerted and with a feeling that lip service is offered rather than dedicated and heartfelt actions. How does the professional worker, sighted and trained in work for the blind, expect society to accept, absorb and interact with blind persons, if they themselves skirt the opportunity at the grass roots level. Can blind professionals look realistically and approvingly at dogmatic espousals of plans for integration of the blind in society, when their peers fail to follow through when confronted with the opportunity.

I am unaware of any tests, psychologically oriented, which records, with a good deal of validity, the true sentiments of sighted professionals toward their blind peers. The results should be interesting.

The reluctance of the sighted public to fully integrate with the blind is understandable. Continuing public education, less emotional appeal in fund solicitation, etc., may be a means to assimilation. There are many approaches to this problem which might ultimately result in the full acceptance of the blind in society. However, when hypocrisy is noted by the public in the actions of sighted workers in the field, progress halts and old stereotypes return. Of course anyone can fathom the feelings of the blind professional when this situation arises among a group of supposedly enlightened purveyors of programs aimed at advancing all services for the blind.

To thine own self be true, an apt axiom, in this case. It is forthrightly honest to defend a position one truly believes in. If nothing else, perhaps this letter will stimulate an amount of introspection and result in some positive action.

TRENTON FIRM CAN SEE HIS ABILITY

by

Evelyn Froggatt

[From the Trenton Evening Times, July 10, 1968]

The blond, blue-eyed young man works quietly and deftly at his workbench, rewinding electrical cable into the narrow slots on the inside of a small electric motor.

The slots are lined with yellow paper to insulate the copper wire from the metal motor. If any of the many strands of wire come in con-

tact with the motor, it will not run. If this happens, the customer will return the motor to S & M Electric Industries. It's precise work, so intricate that no one dreamed a blind man could do it until Ken Hostetler came to town four months ago.

"We were frankly rather dubious when Ken telephoned from his home in Pittsburgh to answer our ad for a motor winder," admitted Dick Secrest, vice-president in charge of sales at S & M. Although the firm had previously hired handicapped workers, Secrest had never seen or heard of a blind motor winder.

Ken offered to come from Pittsburgh to show them what he could do and impressed Secrest with his performance.

"We thought if he had enough initiative to come from Pittsburgh and relocate, we certainly owed him a chance," added Secrest. "This job long since stopped being just a break for him. A good mechanic is always in demand and Ken is very thorough and exact."

Ken is very happy in his new job. He'd been waiting for the chance to prove himself for a long time.

Ever since he was a youngster, he had enjoyed tinkering with electrical equipment. In the Spring of 1967, Ken enrolled in the electrical trainee program at the Johnstown Rehabilitation Center in Johnstown, Pennsylvania. His counselor there was skeptical that Ken could complete the course, for he was the only blind person who had ever enrolled in it.

His counselor and teacher gave the spunky young man two years to complete the year-long course--Ken did it in fifteen months. By this time, Ken said, "My counselor had come over to my side and was busy helping me find a job in the electrical industry."

Finally, after a year's futile search, an advertisement in a Philadelphia paper brought Ken to Trenton and the job as a motor winder in the apparatus service shop at S & M.

"Ken holds his own with the other employees in the shop," said his foreman, Wallace Schmaltz. "He can work as fast as any of them." And he works well. "We haven't had one job he's repaired come back to the shop," added Schmaltz.

Quick to make friends, Ken has become very popular among the fifty S & M employees. Fellow workers pick him up at his room in the YMCA on Clinton Avenue and take him to work. He was the center of a happy crowd at a recent company picnic, according to Schmaltz.

Ken has advanced quickly during his four months on the job. Not content to spend all his time rewinding cable, he has surprised his fellow workers with his ability to learn new techniques. Now he can wrap insulation paper around electrical coils, some up to two feet long. "That insulation must be wrinkle-free" said Schmaltz. "I don't see how he can do it." That's not all there is to the complicated wrapping job, however. Using a large paper cutter, Ken must cut the amount of insulation paper he needs with a large roll.

The foreman plans to have connection diagrams made in Braille so Ken can learn more intricate wiring jobs.

"He's got a very healthy attitude," added Schmaltz. "I'm sure he can do almost any job in this repair shop."

"851 BLINDED VETERANS: A SUCCESS STORY"
[Published by the American Foundation for the Blind]

For every 300 American soldiers killed in Vietnam, it is estimated that one soldier is blinded. What does the future likely hold for these scores of blinded veterans?

According to a recently published research study of 851 blinded veterans of three earlier wars, blind persons can achieve a place in the community generally comparable to that of their sighted peers if they receive adequate medical, social, and rehabilitation services.

The 338-page study entitled "851 Blinded Veterans: A Success Story" was supported by the Foundation, the Veterans Administration, and the Blinded Veterans Association. It was carried out under the direction of the Foundation's research department, with Dr. Milton D. Graham serving as project director and Robert L. Robinson as research director.

The 851 are male veterans of World War I, World War II, and the Korean conflict. All have at least seventy percent visual loss. Through interviews and examinations which were conducted in 1964 in ten VA medical outpatient clinics in large metropolitan areas across the country, information was obtained about demographic, social, ophthalmological, audiological, psychological, and general health characteristics.

Some of the general findings reported in the study are as follows:

* Comparison of the study and United States census data reveals that the blinded veterans are in many ways similar to the general male population and/or the male veteran population: mean age is forty-six; they are generally heads of their households; most own their own homes and live with their wives in an average-sized family; the proportion of non-whites to whites is similar.

* VA social workers who interviewed the blinded veterans found them mostly positive in their handling of rehabilitation experience, family situations and relations with the community, and in their general pattern of family activities.

* Ninety percent of the blinded veterans have been employed at one time or another since they left the military service, but only thirty-eight percent were employed at the time of the study, with an additional four percent looking for work. In part, age accounts for the low percentage of employment (many are already of retirement age).

* The average household income in the United States in 1964 was \$6,600; for the blinded veterans' household, it was \$8,600. Financial flooring, in the form of disability compensation, is one of the factors contributing to this difference in reported family household income.

* The blinded veterans with residual vision showed a surprising lack of concern about eye care: half of the sample had not seen a doctor about their eyes in five years, and only about twenty-five percent had seen a doctor during the year immediately before the study.

During the analysis and writing phase of the project, the Veterans Administration was informed of the findings. The major information reported to the VA was that there was seriously inadequate eye care among the sample group and that many had multiple impairments and chronic health conditions.

Partially as a result of the findings, the Veterans Administration was prompted to make some significant changes in its program for blinded veterans. Among the changes were:

* The VA appointed a consultant on blindness to work out of the office of the chief of Blind Rehabilitation Services in the VA Central Office. It is hoped that such a consultant will be located at each of the Veterans Administration Rehabilitation Centers.

* Because the Blind Rehabilitation Center at Hines Veterans Hospital (Hines, Illinois) has a long waiting list, a second center was opened in 1967 at Palo Alto, California; a third is planned for West Haven, Connecticut.

* The Veterans Administration has decided to make a concerted effort to seek out blinded veterans who need assistance of any type. (This contrasts with the former VA practice of taking a passive role in the provision of services.)

The report concludes by stating that "the story of the sample is largely a success story. Visually impaired and often multiply impaired by chance in the service of their country, they were offered in compensation many opportunities (personal rehabilitation, vocational and academic training, medical services, and so on), and they took advantage and used them well.

"Their record is a tribute to all concerned. It should be well studied by anyone who believes that man can triumph over impairment and handicap. "

MONOCULAR BINOCULAR VISUAL ACUITY

National estimates of monocular and better monocular visual acuity compared with binocular acuity of adults aged 18-79 years are presented in a new report from the National Center for Health Statistics. These estimates are based on findings of the Health Examination Survey conducted during 1960-62 which was designed to determine the prevalence in the United States adult population of certain chronic diseases and other health characteristics. Acuity test findings are also compared with information on visual impairments obtained from the household questionnaire which preceded the examination with findings from previous studies.

An estimated 48 percent of the adults were found to have uncorrected monocular acuity at distance of at least 20/200 in their better eye. With correction, 66 percent reached this level, and the proportion was greater among men than among women. Binocular visual acuity rates at the level of 20/200 or better were consistently higher than those for better monocular acuity, and better monocular acuity rates were higher than rates for either the right or the left eye throughout the age range. In general, the trends by age and sex for better monocular vision were similar to those for binocular acuity. Overall, a high order of agreement existed between better monocular and binocular acuity both without and with usual correction. The extent of agreement between interview and examination data was good for persons with extremely defective vision, but less so for those with better but still defective vision.

CALIFORNIANS MEET THE CHALLENGE

by
Russell Kletzing

In comparison with previous years, the advances through new legislation this year were relatively modest. However, not a single measure that was opposed by the California Council of the Blind became law.

Three bills were passed by the Legislature and signed by the Governor. The most far-reaching of these, and certainly the most important in the sentiments of blind Californians, was the Model White Cane Act. (See article elsewhere in this issue.)

Our second successful bill was necessary to insure to the workers in California's state-operated sheltered workshops that they would receive the hard-won fruits of their victory in last fall's strike. After agreeing to a \$6 contribution per month for health insurance as part of the strike settlement, management obtained a legal opinion that there was no authority to make such payments. The solution of this problem represented a cooperative effort of the Department of Rehabilitation and the California Council. A compromise draft of the legislation was developed through negotiation and was supported both by the Council and the state administration. A feature which the Department of Rehabilitation did not agree to, escalation of the payments in case health insurance payments for other state employees were increased, was sponsored by the Council in a separate bill which met defeat in the Senate.

The passage and ultimate signature of the bill to establish in California a tape library for the blind and disabled involved a new problem and a new solution by the Council. The identical bill was vetoed by the Governor last year because of the paltry cost of \$15,000 to buy a tape duplicator and tapes and to pay a clerk to handle their distribution. This amount represents .000026 percent of California's \$5.7 billion budget.

This year, as last, the tape library bill was moved through the Legislature without undue difficulty. Our great concern, however, was that the veto would be repeated. When the legislative session ended, therefore, and the bill lay before the Governor ready for signing, we set ourselves a goal of 3,000 letters. Ten days later when we estimated we had reached half of our goal, the Governor signed the bill. It will make the thousands of tapes that have been recorded by the Library of Congress available to blind Californians.

Our principal efforts during the session were, however, not devoted to the three bills just mentioned but to the establishment of a Commission for the Blind. We cannot longer tolerate the situation where less

than 1 percent of the employable blind are rehabilitated each year; where shopworkers must strike for pay increases and are threatened with being fired for appearing at legislative hearings in support of their own rights; and where the rights of vending stand and cafeteria operators are ruthlessly ignored. This year in our second attempt, we gained substantially more support than last, although still not enough to obtain passage of the bill. It is clear, however, beyond doubt, that we will pass the bill the next time or the time after that.

The other bills that we lost were staunchly opposed by the state administration and consequently we knew from the beginning we had only an outside chance of success. Two of these would have increased California's basic aid grant by \$4 and special needs allowance by \$15. Although they failed of passage, Council legislation from an earlier and more liberal day will result in a \$6 cost-of-living increase, bringing the maximum possible aid grant to \$195.50.

We also were unable to obtain for state workshop workers a guarantee that their wages would be increased whenever the wages of civil service workers were increased and by the same percentage. This would have given them the 5 percent wage increase that civil service workers were granted this year. Perhaps, however, through negotiation or stronger collective action the workers can obtain directly what we could not obtain from the Legislature.

Our bill to submit to the voters a bond issue of \$25 million to build residential schools for the multiply-handicapped, including multiply-handicapped blind children, had no chance we knew, unless it could be joined with a general school bond issue. Since the Legislature adopted no school bond proposal, we must bide our time until another year. The need for such schools, especially for emotionally disturbed or mentally retarded blind children, represents the most shocking lack in our educational system today in California and nearly every other state.

Although progress was limited, we did not give ground in the battle to maintain worthwhile programs for our blind citizens. The Council beat back ten separate bills and resolutions which constituted assaults on our progressive system of aid to the blind and the rights of sheltered shopworkers.

Most of the reactionary bills were directed toward the public welfare system and would have wrecked the aid to the blind program as well as the other public assistance programs. One would have opened up welfare payment records to the public (a clear violation of federal law) while another would have denied aid to a person if his total family income was more than \$400 a month. Still others would have reimposed the lien on property of recipients, provided for reduced grants to married couples

and made aid grants subject to attachments by creditors. A particularly dangerous bill would have eliminated the automatic appropriation for aid payments and would have required us to go to the Legislature every year with the uncertain success that is only too familiar in some other states. Still another vicious bill would have eliminated our automatic cost-of-living increase in any year where there was a liberalization of the federal grant or income exemption.

Another bill which as introduced would have led to a scrambling of aid categories and probable reductions in special needs allowances was the subject of lengthy negotiations. Ultimately, a compromise bill was worked out with no adverse financial impact and with the hope that a constructive program could be started which would still further adapt aid grants to becoming a force for rehabilitation.

The workers in the state sheltered workshops of the California Industries for the Blind came in for their share of attack. The most dangerous of these would have redesignated the workshops as rehabilitation centers and allegedly turned the workers into trainees. The workers and the Council concluded that it was a sham to destroy the rights of the workers as state employees, and the bill died before reaching the floor of the house in which it originated. Likewise a bill providing for state loans to private sheltered workshops was defeated by the Council, while a resolution on the same subject was amended to make it clear that workshops for the blind were not included. We feel strongly that state funds should be used for rehabilitation and education, not to perpetuate the antiquated workshop system.

The most exciting and gratifying single thing about the session, however, was the tremendous response of Council members to the challenge of the legislative session. More than a hundred came to Sacramento--many to stay for nearly a week. They comprised an unbeatable combination of old-timers with experience and know-how, plus youth with freshness, vigor and intelligence. More than that, they represent a sure guarantee of steady progress in the future.

FROM THE ARCHIVES

[Editor's Note: The letter here reprinted was written by Dr. Newel Perry, president of the California Council of the Blind to Mrs. Phayla Johnson, secretary of the Iowa Association of the Blind on May 29, 1946 just before Iowa's state convention. Other such items will appear under this title on

an occasional basis.]

My dear Mr. Johnson:

Why should a state organization of the blind be a member of the National Federation of the Blind?

Such a question, when advanced by an American, will surprise anyone to whom it is addressed. In the twentieth century, organizing has become second nature to all of us. Daniel Webster would have replied simply that: "In Union there is strength." Aesop would have responded by narrating the fable regarding the boy, who after trying in vain to break a bundle of sticks, was advised to break each stick individually.

The weak can defend themselves from the strong only by uniting their individual efforts. This is the universal truth which all history teaches. Rome, who readily accepted the idea of organization, came to rule the world, while the Athenians, a much more gifted people, but who rejected organization, lost their independence and were overrun and humiliated by Philip of Macedonia.

The blind are weak, economically. Their number is small. The demand for their labor is practically nil. Their poverty subjects them to much humiliation. Though their wants are many, they are too timid to insist that society should provide them with remunerative employment. They are inarticulate. Their discomforts are many, yet they dare not complain. To do so might displease a Social Worker and result in increased want and additional embarrassment.

Unlike the blind, other members of society met a similar situation by resorting to the labor union, using the strike as a weapon. Why did not the blind resort to the strike? Obviously, because no demand for the labor of the blind existed. What then should the blind do? While it is true that the principle of the strike cannot be made use of by the blind, it is nevertheless true that a resort to organization can still yield benefits to them. Organization of the blind will provide them with a means of propaganda, and it has been frequently demonstrated that a united effort at propaganda can succeed, and has succeeded in raising the blind man's standard of living. To propagandize requires courage, and membership in an organization will provide both courage and strength.

A conviction almost universally entertained by the blind to the effect that they are frequently unjustly treated by the Social Workers is allowed to go unexpressed, due to fear. Membership in an organization of the blind, for the blind, and by the blind, will help to remove this fear, and frank and bold criticism would reach the ears of legislators and would

help greatly by enabling your Congressmen and the members of your legislature to understand your needs. Be assured these men do not now understand your problem. However, much of your dissatisfaction now vented on your social workers--is misdirected. For example, your bitterness over the fact that your meager earnings are taken away from you through reductions in your aid, is not to be blamed on your social worker. On the contrary, the fault rests with your Congressmen. Congress has forbidden the State authorities to permit you to retain any of your earnings. To whom, then, shall we address our complaints? The answer is clear. We must complain to our Congressmen in Washington. Through what vehicle, then, shall I communicate my wants and my criticism to the Congressmen in Washington? The answer is not a State organization, of the blind. Remember, Congress legislates, --not for a particular State, --but for all the States. If, therefore, we wish to petition Congress, we must look to Washington for relief, it follows that we must communicate with these Federal legislators through a nation-wide organization which speaks, not for the blind of a particular State only, --but for the combined blind of the whole country.

We have every reason to be very proud of the achievements of the N: F. of B. Practically every Congressman has already become aware of our national organization and regards it with respect. We must not return to our follies of former years. We must not make the mistake of sending forty-eight separate groups to explain our needs to Congress. Such a procedure would inevitably result only in giving Congress the impression that the blind do not know what they want, and as a natural consequence it would decline to take any immediate action.

To impress Congress, we must send to Washington our most able and best trained representatives. Fortunately, under the energetic administration of our President, we have done just that. Our campaign in Washington has been intensive and carried on by men who possess ability, industry, zeal, and understanding of the present needs of the blind. Let us continue to present a united front in Washington.

Kindly convey my greetings to your State Convention, particularly to the pleasant persons I met at Des Moines and other gatherings. I hope it will be my good luck to meet both you and them in St. Louis.

Cordially yours,

Dr. Newel Perry, President
California Council for the Blind

MONITOR MINIATURES

There is a unique program in Colorado which is training amputees and other disabled persons to become expert skiers. A group of hospitalized Vietnam war veterans are proving that when it comes to schussing the slopes, amputee skiers can keep up with the best. The amputee skiers--many of them single limb amputees--use one regular ski and two outriggers that resemble crutches mounted on small skis.

* * * * *

Mary Moore, director of social services for the Hospital of the Holy Family, which is a division of the Catholic Medical Center in Brooklyn, has courageous faith which she shares with others. Mary Moore has been blind since childhood despite eight operations. She made up her mind to live a normal life and to find a career in service to others. Her first schooling was at the New York City Institute for the Education of the Blind. She received her bachelor degree in social service at Mount St. Vincent College and her masters degree from the Columbia School of Social Work. Perhaps because of her own handicap, which she chooses to ignore, Mary can listen with sympathy to those who need understanding and counsel and give them courage to face their own difficulties. Not only does she work in the hospital with the doctors and nurses, but she goes into the homes to dispense her own brand of sympathetic assistance.

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Tiny Beedle, the Vice President of the Progressive Blind of Missouri, has left for a visit to Alaska. She is visiting her sister there and this is Tiny's first visit to our northernmost State.

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The Aberdeen (Washington) blind have organized their own chapter of the Washington State Association of the Blind. The chapter will accept sighted associate members as well as blind or visually handicapped members.

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The 300 blind children, attending the annual summer camp at the Ravenswood Y. M. C. A. camp near Villa Park, Illinois, knew their way around even before arriving there. They were supplied with three-dimensional maps in Braille, a project undertaken by the Willow Springs Lions Club in conjunction with the Telephone Pioneers.

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Another letter-writing campaign has borne fruit. On July 16th the Governor's office called Clyde Ross to tell him that he has been reappointed to the Ohio Commission for the Blind for another six-year term. Congratulations, Clyde! We know that you will do a good job in furthering the interests of the blind of Ohio.

* * * * *

A talking newspaper in New Jersey. The Talking Newspaper, a nonprofit group dedicated to providing the sightless with local news, have undertaken an expansion of their services and need volunteers. The organization's volunteers read Bergen County newspapers onto recording tape cartridges each week. The cartridges, which can be played in Orelco tape players are then duplicated and mailed to visually handicapped "readers" throughout the county. Each reader keeps his donated tape player in his home and is mailed a current cartridge each week. The new units, compact and inexpensive, have encouraged the 13-year-old organization to reach out to more of the visually handicapped and to specialize their news coverage. Rather than send each reader a copy of the same cartridge, the group is planning to provide separate service for men, women, and youngsters. There will be a special tape for local sports.

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A free comic book featuring the nationally syndicated "Peanuts" characters that warns children and their parents about a form of blindness which strikes the young, has been released by the U. S. Public Health Service's National Center for Chronic Disease. Public health officials worked closely with Charles M. Schulz, creator of "Peanuts" in preparing the thirteen episode booklet. The cartoons are designed to encourage early eye examinations for children as a precaution against amblyopsis ex anop-sis--commonly called "lazy eye" in young children, public health physicians point out. A temporary eye patch is often the only treatment needed to correct the condition if it is discovered early enough. Blindness in the "lazy eye" can result if it is left unattended and it is emphasized that the condition must be discovered well before the age of six.

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United States prisons expand work-release plan. The United States Bureau of Prisons, moving to expand its program of releasing prisoners for work or school during the day and returning them to cells at night, plans to increase the use of local jails to help house Federal inmates. The work-release program, established in 1965, is designed to ease the transition of offenders back into society. Rather than waiting until a convict has served out his sentence or been paroled to get him back in normal society, the work-release program is designed to help prisoners learn a trade and

learn to become members of their communities again.

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A meeting was held recently in Kansas City, Missouri between the selected committees of the Progressive Blind of Missouri and the Missouri Federation of the Blind to agree on a proposed legislative program for the coming year. A five-point program is being planned, including an effort to enact the Model White Cane Law.

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Federal legislation banning discrimination against employees on the basis of age is in effect. The new law, passed late in 1967, prohibits discrimination against individuals who are at least 40 years of age but younger than 65, and makes it unlawful for employers of 25 or more persons, employment agencies and labor organizations to discriminate in any phase of employment, including hiring, discharging and wage rating. Also barred are help-wanted advertisements that specify age limitations.

* * * * *

It happened after the cost of mailing a letter had risen to six cents. The post office sent through a letter that had a five-cent stamp and half of a two-cent stamp cut carefully through the middle. A note under the stamp read: "I'm sorry, but I ran out of one-cent stamps and I had to get my bills paid."

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Mr. S. K. Wolff, the President of CHOOSE, has issued the following release: "This is to announce the opening of CHOOSE, established to promote and locate well-paid positions for persons with decreased visual functioning. A job that pays less based on visual limitation discriminates against the capabilities and emphasizes the disabilities of persons with a functional visual loss. Such an attitude will not be condoned or accepted in accord with the progressive policies of the CHOOSE placement organization. To register for positions, write to Choose for Human Opportunity, in Occupation, Society, and Education, Inc., 11 Park Place, New York, New York 10007."

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The Michigan Council of the Blind will hold its convention at the Downtowner Motor Inn in Muskegon on September 28 and 29.

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He lives to tell of 5-story fall. Mark Dollar, 15, blind since birth plunged from a fifth-story window toward almost certain death early on August 10. But a bed of ivy cushioned his fall and miraculously he escaped serious injury.

NFB--A FRIEND OF THE COURT

[Editor's Note: Cases from the District of Columbia, Connecticut and Pennsylvania testing the constitutionality of state residence requirements for public assistance have been before the United States Supreme Court. The Court, obviously snagged on the issue, declined to rule on these cases before it adjourned for the summer recess and will rehear arguments sometime after it reconvenes for the fall term in October. In addition to Federal District Courts voiding residence requirements in the District of Columbia, Connecticut and Pennsylvania, other Federal courts have struck down the residency rules in Illinois, Wisconsin, Delaware and California. The eventual decision in these cases is of such importance to the welfare of the blind and other groups of recipients of public assistance that the National Federation of the Blind filed a brief in the U. S. Supreme Court, prepared by John F. Nagle of Washington, D. C. and B. V. Yturbide and Joanne C. Heffelfinger of San Francisco. Following is the brief.]

INTEREST OF THE NATIONAL FEDERATION OF THE BLIND

The National Federation of the Blind, as its name indicates, is a country-wide organization whose members (with relatively few exceptions) are legally blind persons, as are its officers and leaders. The membership totals many thousands, a large number of whom are recipients of public assistance in various states.

Since its inception, and in pursuit of the goals leading to its creation, N. F. B. has dedicated much voluntary time and effort, and all the money it could muster, to gain for the blind a full and equal footing in society and to end the negative attitudes and practices which have kept so many of them locked in poverty and dependence over the centuries. In these efforts, although by no means of exclusive concern, the reform of welfare legislation in respects important to the blind as well as others has ranked high. We believe N. F. B. is entitled to share in the credit for a number of forward steps in that field. The organization was fortunate to have as its founder and its president over many years Professor Jacobus tenBroek, whose accomplishments included the chairmanship of the State Social Welfare Board of California and whose work and writings in the

social welfare and legal fields earned him wide and just acclaim. His untimely death a few weeks ago marks a sad loss not only for N. F. B. and the blind but for the whole country, particularly the unfortunate and the poor.

N. F. B. has long been an opponent of durational residence requirements in welfare legislation, convinced that they are both unwise and unconstitutional. Dr. tenBroek was one of their leading critics in his writing. (See, e. g., tenBroek and Matson, The Disabled and the Law of Welfare, 54 Cal. L. Rev. 809, 824-828 (1966).)

Because of N. F. B. 's long-standing interest in the problem before the Court, we requested consent to file an amicus curiae brief in support of appellees in this case, and the consent was graciously given by both sides. Our observations and arguments will not be limited to the concerns of the blind alone but of recipients of assistance generally, and, naturally, the Pennsylvania and Connecticut cases now pending before the Court on the same subject are of no less interest to us than the present one. We hope that this brief will contribute to the final condemnation of provisions which have marred and frustrated our social welfare system for far too long.

ARGUMENT

I. Both the effect and the purpose of challenged legislation must be considered in assessing its constitutionality

At the risk of rehearsing the rudimentary, we think it particularly appropriate in this field to stress at the outset that the constitutional infirmity of legislation may arise from its effect or its purpose or both. There is a danger of losing sight of this elementary but important point in deference to the more provocative inquiry as to the character of underlying purposes where, as here, so much attention is paid by supporters of legislation to its asserted justifications and by its opponents to the invalidity of those goals.

Frequently, of course, the unsound character of a statutory objective is self-evident and can, without the hunt for legislative motives in which courts hesitate to engage, provide the basis for judicial condemnation, (E. g., Truax v. Raich, 239 U.S. 33, 40-41 (1915).) We are convinced that such is the case presented here and by all durational residence requirements in welfare legislation and that this case and the related ones now before the Court may be disposed of on that ground. Nevertheless it is apposite to keep in mind that the effect of a statute, whether or not intended, may be to abridge constitutional rights and will require invalidation where no legitimate governmental interest is promoted by the measure or where such an interest is advanced but is of insufficient strength to warrant the

abridgement or can be accomplished by less drastic means without infringement of the Constitution. Although the strength of the governmental interest which must appear, as well perhaps, as the care required in tailoring legislation to serve it, may vary depending upon the importance of the particular right involved, there is potential in every constitutional attack the question of effect independent of purpose.

The point is well illustrated by Sherbert v. Verner, 374 U.S. 398 (1962). In condemning the statute there involved, this Court did not hold that the abridgement of the freedom of religion was intended. To the contrary, in approaching the problem, it took care to emphasize that the statute must fall if its purpose "or effect" was the curtailment and there was no compelling governmental justification. (374 U.S. at p. 404.)

It is with the foregoing in mind that we, although satisfied of the nature and invalidity of the legislative intent here, address ourselves in some detail to the effect of durational residence requirements in welfare legislation.

II. The effect of durational residence requirements in welfare legislation is to impose a serious restraint on movement by the poor and a discriminatory and drastic penalty upon persons who move

The discriminatory effect in regard to a vital concern is plain from the face of every durational residence requirement in welfare legislation. All unable to meet the requirement, although otherwise eligible under the prevailing standards, are denied public assistance; all identically situated except for the duration of residence are granted the assistance. At stake on the basis of this sole difference is nothing less than the means to subsist, to acquire food, shelter, and other necessities of life. The dire consequence is such as to be anticipated in some instances and always to be suffered, whether or not anticipated, and the requirement thus operates both as a serious restraint on poor persons wishing to move into a jurisdiction and as a drastic penalty upon persons who have recently moved there and are in need.

A full assessment of the durational residence requirement calls for some precision of statement which neither champions nor detractors have always been ready to acknowledge. Not infrequently in the polemics in this field, therefore, one confronts hasty generalizations and internal inconsistencies. Thus, for example, those seeking to justify the requirements speak of the influx of recipients to be expected in the absence of such restrictions and yet disclaim that the requirements impede movement and disregard that, in any event, those who have recently come into a jurisdiction and need assistance are penalized for having moved. On the other hand, opponents of the legislation have sometimes concentrated on the deterrent and punitive impact which cannot reasonably be denied, while tend-

ing to belittle the possibility of an increased influx of the poor in some instances and to leave unmentioned the fact that, notwithstanding the restrictions, some persons needing or likely to need assistance appear to change their state of residence and may, with luck, suffer no hardship.

The truth seems to us clear. Although there are specialized data and opinions pointing to it, we know of no scientific study conclusively establishing it and doubt that, in the nature of the problem, there will ever be such a study. As is common in regard to the effect of enactments generally, assessment by courts is not controlled by expert evidence or opinions contained in the particular record or judicially noticeable but depends, in the final analysis, upon a consideration of the tendencies and consequences judicially attributable to a measure in the light of its terms and their natural or reasonably expectable impact on those subjected to their operation. So approached, and with the guidance and decisions assessing other statutes, the legislation now before the Court, although it may not be uniform or absolute in its operation, must be viewed as effecting both a restraint and penalty upon movement of constitutionally significant dimensions.

A. The Restraint upon Movement by the Poor is Demonstrated by Common Sense and by Judicial Assessment of Other Provisions

It is submitted beyond reasonable controversy that durational residence requirements in welfare legislation operate as a prior restraint upon thousands of poor Americans wishing to move from one jurisdiction to another. This fact seems inescapable when common sense is brought to bear on the prevalence of such requirements throughout the country, the extremity of their length, and the gravity of the denial of aid to those in need of it. Moreover, recognition of that fact is called for by decisions which concern other provisions affecting movement.

(1) Common Sense

The common sense approach must begin with recognition of the prevalence and severity of the durational residence requirements. According to recent compilations, only about one-fifth of all the states have eliminated such requirements as to one or more categories of aid. The remainder retain, as to all forms of aid, restrictions ranging from six months to five years. (See Morton, 1967 Public Welfare Directory, p. 208, Table 1.)

For true perspective, the foregoing must be coupled with the vastness of the population dependent on assistance. It has lately been reported that the average total of persons receiving federally supported aid (that is, without inclusion of recipients of general assistance provided by states and localities alone) is 7.5 million per month. (See Report of the National Advisory Commission on Civil Disorders (Bantam Books ed. 1968) p. 457.)

Out of these millions of recipients, it is to be expected that there are a number who may be unaware of the existence of durational residence requirements or who, though having such knowledge, undertake to move elsewhere because of high assurances of employment or interim economic help or other compelling considerations, such as health, or because they are just plain reckless. Such persons, as well as those whose need arises after moving but before satisfaction of the requirements, would be affected by the bite of the statute but not its restraining arm.

On the other hand, it requires no expertise to recognize that the millions of recipients must include many who for a variety of reasons, would wish to move but realize their need for continued assistance and their ineligibility to receive it for months or even years if they go to any but a handful of jurisdictions. Their choice is to remain where they are or invite disaster. Quite naturally, those faced with that choice must in large numbers elect the former course. To say less is to regard recipients of assistance as a breed apart, devoid of average intelligence and normal reluctance to embrace hardship.

(2) Decisions Assessing Other Provisions

The constitutional dimensions of the restraint thus exerted on movement by the poor seem clear from prior decisions of this Court.

Preliminary note should be taken in this connection of First Amendment decisions establishing that prior restraints flowing from enactments are to be considered in determining their validity even though they are not absolute or uniformly effective and come before the Court in the person of one who disregarded the restraint and suffered the penalty. (E.g., Staub v. City of Baxley, 355 U.S. 313, 320-322 (1958); Kunz v. New York, 340 U.S. 290, 293 (1951); Thornhill v. Alabama, 310 U.S. 88, 97-98 (1939).) As will be discussed later in more detail, the freedom of movement is a right akin in importance to First Amendment freedoms, and the doctrine of the cited cases should for that reason alone be applied wherever restraint on movement is involved. However, this does not find its force solely in analogy. In Edwards v. California, 314 U.S. 160 (1941) the State was condemned for its burdensome effect on movement even though the one subjected to its penalty had not been restrained by it but had already transported the indigent into the state.

More important, perhaps, than the rather self-evident proposition that a restraint need not be absolute or invariably effective in order to achieve constitutional dimensions is a comparison of the restraint at hand with a few examples of impediments heretofore accorded such significance by this Court. The prospect of losing the means of subsistence for months or years cannot reasonably be deemed less threatening than the tax differential of approximately \$2, 500.00 for commercial fishermen described as

"practically exclusionary" in Toomer v. Witsell, 334 U.S. 385, 396-397 (1947). Certainly, the exclusionary effect of the threat involved here must be much greater than the \$45.00 tax differential for fishermen which, under the authority of Toomer, was condemned in Mullaney v. Anderson, 342 U.S. 415 (1951). Nor, even with the notoriously steady decline of the dollar can the small tax in Crandall v. Nevada, 73 U.S. 35 (1897), be thought remotely comparable in severity and consequent impediment.

In short, considering the reasonably expectable, if not inevitable, impact of durational residence requirements in welfare legislation and guided by judicial precedents, we are convinced that the requirements operate as a prior restraint upon movement by substantial numbers of poor persons. We can admittedly point to no scientific study conclusively supporting us, but the nature of the problem does not feasibly lend itself to such an approach. One seeking demonstration satisfying the standards of the laboratory will search in vain among the existing materials. From our experience, he will find a few studies of narrow scope and questionable control, reliance on facts which bear at best obliquely on the subject and often point in opposite directions, and considerable divergence of opinion among those who might be regarded as experts in the field. Here, as elsewhere, the only ultimate criteria suitable for the Court are the ones we have followed. Their result, we respectfully submit, is the soundness of our position.

B. The Discriminatory Penalty Against Poor Persons Who Move Is Obvious

Durational residence requirements in welfare legislation, in addition to their forceful operation as a restraint on movement by the poor, have the other and discriminatory effect of denying assistance to poor persons who are in need but have not lived in the jurisdiction long enough. That this drastic denial resulting solely from recent movement can properly be designated a penalty seems obvious. It imposes no less a hardship than the denial of unemployment insurance recognized as a penalty in Sherbert v. Verner, 374 U.S. 398, 405-406 (1962), and a far greater hardship than the loss of the tax exemption characterized as a penalty in Speiser v. Randall, 357 U.S. 513, 518 et seq. (1957).

Full appraisal of the extremity of the discrimination, however, necessitates examination of the requirements from two viewpoints. The typical requirement sweeps within its harsh ambit all who, although sharing the overriding trait of need for assistance and being alike in their disqualifying status of newcomers, may be dissimilar in a number of respects. This wholesale lumping is accompanied by a comparable one in the other direction. The means of subsistence denied to newcomers are granted to those having sufficient length of residence even though they may be in less need or may possess, unlike some newcomers, traits which are sometimes

relied on as negating worthiness for solicitude and, indeed, as justifying a discouragement of entry by poor newcomers.

Thus, on the one hand, typically relegated to the same condition of unrelieved penury is the newcomer who, having a consistent history of gainful employment prior to his move, has for the first time encountered the need for public assistance and the newcomer who has always been dependent on such assistance; the newcomer who moved with subsequently unfulfilled expectations of employment or private help and the one who moved with every intention of applying for public assistance as soon as possible; the newcomer who is employable and may soon become employed and the one who is not and may never be; the newcomer for whom the existence and amount of public assistance played little or no part and the one by whom that matter was considered to be important; the newcomer, similarly, for whom the amount of public assistance available in the state of new residence would be lower than in his former abode and could constitute no attraction and the one for whom an increase would result; the newcomer whose move was his own decision and the one who, such as a child, moved with others making the choice; and the newcomer who moved with the intention of becoming and remaining a resident of the state and the one who enters the state as a sojourner only, without intending to make his home there or abandoning his former residence.

The denial of assistance to such an all-inclusive class is incongruous in itself but can be fully measured in its discriminatory effect only when considered in contrast to the all-inclusiveness of the preferment. The classification based on the sole difference of duration of residence means, for example, that assistance may be denied to one who has no other source of economic help whatever and whose need is absolute, but granted to one whose need is relatively less because friends or others may be willing to aid him; denied to one who, as a taxpaying employee elsewhere, has contributed to the federal funds largely supporting the kind of assistance applied for, but granted to one who has never paid taxes anywhere; denied to one who, having never required public assistance before and expecting employment, moved without thought or concern about the existence or amount of such assistance to be available in his new home, but granted to one who was receiving public assistance elsewhere and was induced to move by the availability of more generous amounts, expecting and receiving interim help until he could comply with the durational residence requirement; and denied to one who is employable and anxious to become self-supporting, but granted to one who is unemployable or lacks the positive motivation to cease his dependency.

We do not mean to suggest that any or a combination of the variables discussed above has any legitimate role in welfare legislation or should be determinative of validity if taken into account in the formulation of a durational residence requirement. To the contrary, we are convinced that, if a newcomer has moved into a jurisdiction with the inten-

tion of residing there and is otherwise eligible for assistance under the standards applicable to others, a durational residence requirement cannot be used to deny him, without regard to such variables. Our objective in the foregoing discussion has been merely to illustrate the utter lack of selectivity in penalizing those needy persons who have recently moved, a point which, as will be indicated in more detail later, is particularly important in view of some of the purposes and arguments defenders of durational residence requirements advance in vainly seeking to justify them.

III. Durational residence requirement in welfare legislation, both in purpose and effect, violate constitutional guarantees of the freedom of movement and equal protection and due process of law

It is respectfully submitted that durational residence requirements in welfare legislation are violative of more than one right guaranteed by the federal Constitution, and for much the same reasons. The crux of the multiple infringements is that, in a respect whose peer for harshness would be difficult, if not impossible, to find in the non-criminal sphere, persons living outside a jurisdiction or recently moving into it are arbitrarily discriminated against. We believe that the discrimination and its consequent restraint and penalty upon movement must be said in general to coincide with legislative intent, but, as noted earlier, that premise is not essential for invalidity. The effect discussed above, both restraining and penalizing, is there, whether or not intended, and the governmental interests advanced or imaginable in asserted justification of such a statutory scheme are ones which, at worst, are impermissible or lack compelling or rational force and which, at best, may be implemented by narrower and less drastic means. The result is a violation of the freedom of movement, which understandably occupies a preferred position under the Constitution and is specially safeguarded by principles judicially developed. Also, of course, provisions open to such criticisms must contravene the Equal Protection and Due Process Clauses of the Constitution, whether the operation of those clauses be regarded in this context as inextricably entwined with the freedom of movement or as having an independent impact by reason of the invidious discrimination involved.

A. The Freedom of Movement Occupies a Preferred Position Under the Constitution and Is Safeguarded by Special Principles

The existence of the freedom of movement is now, of course, settled. We offer no observation on that phase of the problem other than to suggest that the divergence in emphasis which, as this Court has recognized (United States v. Guest, 383 U.S. 745, 759 (1965)), has been experienced in search for the primary textual source in the Constitution arises simply from the fact that, although the right is not specifically mentioned in any provision, it is encompassed and fortified by several,

not unlike the case of the right of privacy. What is more important than the precise source or sources of the freedom is its preferment and the special rules applicable in reviewing attempts to abridge its exercise.

The former judicial hesitancy to name the freedom of movement and elevate it to its proper place under the Constitution came unmistakably to an end with the recent decisions involving both interstate and international travel and reviewing earlier cases and other authorities. None can now doubt that the freedom of movement is "fundamental to the concept of our Federal Union" and "basic in our scheme of values." (United States v. Guest, 383 U.S. 745, 757 (1965); Aptheker v. Secretary of State, 378 U.S. 500, 506 (1963); Kent v. Dulles, 357 U.S. 116, 126 (1957).)

Because this freedom has thus an importance akin to that of First Amendment rights, the reasonable conclusion would be, even in the absence of authority, that legislation abridging it should be judicially scrutinized under the same strict standards of review as are familiarly applied in First Amendment cases. Authority, however, is not lacking; such was the express holding of this Court in Aptheker v. Secretary of State, 378 U.S. 500, 508 et seq. (1963).

Some, including appellants, have fallaciously asserted, in effect, that the Court did not actually mean what it said in Aptheker and that this is demonstrable by the subsequent decision in Zemel v. Rusk, 381 U.S. 1 (1964). The argument runs that the strict standards of review are appropriate to safeguard the freedom of movement only where, as in Aptheker, First Amendment freedoms are connected with it. Nothing in Aptheker warrants such a construction. To the contrary, the Court did not base its condemnation on the First Amendment but on the Fifth and did not resort to the strict standards of review because a violation of the First Amendment itself was potential under the particular facts but because the right of movement in its own "basic" importance was "closely related" to the First Amendment freedoms. (378 U.S. at pp. 514-517.) We cannot fairly read Zemel as undermining Aptheker. To be sure, a different result was reached, but this is explainable by the difference in facts, and nowhere did the majority reason that the strict standards of review were not applicable or could not be satisfied. The observation (381 U.S. at p. 16) that the appellant's claim was unlike the claim in Aptheker was merely set forth in the course of rejecting the contention that the First Amendment itself had been violated. To conclude from this that Zemel limited Aptheker, intending to initiate the notion that movement unlinked with First Amendment rights is not a freedom of the basic kind calling for special safeguards, is to ignore the Court's subsequent declaration that the freedom of movement is "fundamental to the concept of our Federal Union." (United States v. Guest, 383 U.S. 745, 757 (1965).)

We proceed then to consider some of the special safeguarding prin-

ciples developed in First Amendment cases and other decisions relevant to the freedom of movement.

(1) A Compelling Governmental Interest Must Be Present

One of the special principles is that any abridgement is invalid unless based on a "compelling" governmental interest. No showing merely of a "rational relationship to some colorable state interest" will suffice; only the "gravest abuses, endangering paramount interests," can permit limitation. (E.g., Sherbert v. Verner, 374 U.S. 398, 406 (1962).) This principle, commonly applied in First Amendment situations, was not expressly mentioned in Aptheker as applicable to the freedom of movement, there being no necessity since the case could be disposed of on the grounds of overbreadth without considering whether a governmental interest of sufficient strength was involved. However, this principle in reference to freedom of movement is no less appropriate than the other First Amendment principles referred to and applied in Aptheker and is, indeed, an integral part of the bundle established by the decisions relied on in Aptheker, including NAACP v. Button, 371 U.S. 415, 438 (1963).

It merits emphasis that the recent concern accorded to the freedom of movement does not mark a sudden departure from precedent, completely unheralded by prior decisions. It seems fair to say that the freedom of movement, though not always spoken of in these terms had actually been involved in earlier decisions concerning discrimination between residents and nonresidents, citizens and noncitizens, and the like. Most frequently, such decisions were wont to speak of reasonable regulations as permissible, without much precision of statement as to the strength of governmental interest which must be present for justification. This, however, was not invariably true.

More than twenty years ago, the Court was called upon to deal with a discrimination as to which the freedom of movement was not far removed, if not involved, namely, a discrimination among children based on the country of their parents' origin. In striking down the provision, the Court pointed out that there was absent the "compelling justification for discrimination of that nature." (Oyama v. California, 332 U.S. 633, 640 (1947).)

About the same time, in Toomer v. Witsell, 334 U.S. 385 (1947) the difference in tax levied on resident and nonresident fishermen was invalidated as "practically exclusionary." The freedom of movement may not have been mentioned in so many words, and it is true that some of the language of the opinion indicated the test of permissible regulation to be the one of reasonableness voiced in earlier decisions. However, the reasoning crucial to the result (334 U.S. at pp. 397-398) was that mere promotion of a valid objective could not justify discrimination between residents and nonresidents and that such a classification is unlawful unless

nonresidents constitute a "peculiar" source of the "evil" aimed at. It is submitted that this approach contemplated an objective not only valid but of extraordinary force. It requires little, if any, extension of that approach to conclude that a compelling governmental interest must appear before a classification between residents and nonresidents or any impediment to free movement, can be justified. In any event, such is not the law.

(2) Legislation Must Avoid Overbreadth in the Light of All Its Applications

The freedom of movement is further safeguarded by the standards of judicial review which are common in First Amendment cases and are designed to protect against overbreadth of legislations. A provision, even though addressed to a legitimate purpose, must not operate "unnecessarily broadly" and will be declared fatally defective if its objective could have been achieved "more narrowly" and by "less drastic means." In legislation affecting this basic right, "precision must be the touchstone." These were the declarations in Aptheker (378 U.S. at pp. 508, 512-514) where the applicability of an important corollary was also made clear, namely, that factual application other than the one at bar will be considered in assessing the validity of a provision. (378 U.S. at p. 517.)

It should be noted in passing that close scrutiny for overbreadth has been accorded to legislation affecting important rights other than those in the First Amendment and the freedom of movement. (Carrington v. Rash, 380 U.S. 89, 95 et seq. (1964).)

(3) The Burden Is the Government's

Also worthy of note is the principle that the governmental entity, not the individual challenging the legislation, has the burden with respect to whether an interest of sufficient force is served with sufficient precision. The individual is not required to prove that a less drastic statute could not be constitutionally written; it is incumbent upon the government to demonstrate that no alternative form of regulation could accomplish the purpose without infringing constitutional rights. (Aptheker v. Secretary of State, 378 U.S. 500, 517 (1963); Sherbert v. Verner, 374 U.S. 398, 407 (1962).)

It follows that, in the area of free movement, the presumptions of constitutionality often invoked in support of legislation are not available.

B. Durational Residence Requirements in Welfare Legislation Serve No Permissible Compelling or Rational Governmental Interest and Are, in All Events, Too Drastic and Too Broad

As discussed previously, every durational residence requirement

in welfare legislation is discriminatory on its face in a manner relating to movement and resulting in sweeping inequality of treatment with respect to a matter of vital concern. If it could be assumed that any such discriminatory requirement is purposeless, it would obviously be invalid. We think that, typically, the requirements have an underlying objective, and one plain to see: the exclusion of the poor who are, or are likely to be, in need of assistance supported by public funds. Even if restraint fails to prevent entry in the first instance, the withholding of assistance for the period prescribed may operate to encourage potential recipients to return whence they came and will, at the very least, defer additional expenditure until the end of that period.

The restraint and penalty upon free movement by the poor thus aimed at are impermissible, as is clear not only from the recent decisions dealing with freedom of movement but also under the cases concerning the condition of poverty. Contrary to the basic purpose of welfare legislation, persons in need are threatened with loss of, or actually denied, the means to subsist, and without the compelling governmental justification which must be present. Not even a colorably rational relation to a legitimate governmental interest is discernible. Insofar as non-exclusionary justifications have been advanced, we submit they are unconvincing afterthoughts apologetically urged in substitution for the real and manifestly improper objective. Even if there were some doubt as to whether any of the asserted objectives has a sufficient and permissible relationship to durational residence requirements, they must fail because narrower and less drastic measures can serve as well.

(1) Discrimination Without a Purpose

To begin with, a brief word should be said about the possibility that durational residence requirements in some states may be nothing more than the original product, perpetuated through inertia, of either aimless parroting of law elsewhere or, at most, the provincial inclination to draw distinctions generally between established inhabitants and "outsiders." It is not amiss to recall in this connection the familiar fact that the pressures incident to frontier infancy led not infrequently to the hasty and massive copying of laws existing in other jurisdictions. Nor can we ignore that even in this modern day, as we understand the situation, Pennsylvania was unable to define the purpose of its durational residence requirement at the trial of the case now pending before the Court.

As we have seen, classifications having an exclusionary effect must be aimed at some peculiar evil represented by the excluded persons, and a compelling governmental objective must be shown to underlie with precision any abridgement of the freedom of movement. Patently, to the extent that any durational residence requirement exists in welfare legislation as the result of the haphazard lawmaking here under discussion,

whether in Pennsylvania or elsewhere, it must fall.

(2) The Exclusion of the Poor to Protect the Treasury

We are satisfied, as already indicated, that, typically, durational residence requirements in welfare legislation have a definite purpose, the exclusion of poor persons who are, or are likely to become, in need of assistance from public funds. This we think is evident, in the first instance, from the all-inclusiveness of the requirements themselves. Even if not invariably so, the prospect of attributing to lawmakers a mindlessness at odds with their trust must render rare, at most, the occasions justifying departure from the injunction of Justice Hughes that the purpose of an enactment "must be found in its natural operation and effect." Truax v. Raich, 239 U.S. 33, 40 (1915).)

The intent of this legislation is also readily discernible from its history and from its frequent company with other provisions having the same exclusionary purpose, such as the kind condemned in Edwards v. California, 314 U.S. 160 (1941), and the so-called removal statutes. Durational residence requirements, like the related laws, find their distant ancestry in the settlement concepts concerning the responsibility to care for the needy and in negative attitudes toward the destitute. (See, e. g., tenBroek, California's Dual System of Family Law: Its Origin, Development, and Present Status, 16 Stan. L. Rev. 257, 259-265 (1964); Jordan, Philanthropy in England 1480-1600, at pp. 78-83 (1959); Harvith, The Constitutionality of Residence Tests for General and Categorical Assistance Programs, 54 Cal. L. Rev. 567 (1966).)

Certainly, students of the subject, such as those just cited, have experienced no difficulty in recognizing the exclusionary aims underlying the durational requirements. And, in fact, appellants themselves admit in their brief that the requirement in the District of Columbia has an exclusionary purpose, although they would have us believe that the persons sought to be excluded are limited to those in nearby jurisdictions where lower amounts of assistance are provided.

Whatever the legitimacy of such objectives in the bygone days of Elizabethan England and incipient America, when it was deemed fitting that one in need look for help to his birthplace and be classed with the criminal, the diseased, and the immoral (not without judicial toleration), their legislative perpetuation is no longer permissible. These are different times rendering such attitudes anachronistic and necessitating under the Constitution different response to poverty and its incidents. This is the cardinal teaching of Edwards v. California, 314 U.S. 160 (1941), joined in by the majority and the concurring justices alike. The problems and financial burdens of states in dealing with poverty and movement by the poor were acknowledged but could not justify the defective provision be-

cause there is no "more certain" prohibition against state legislation than the one against an attempt by a state "to isolate itself from difficulties common to all of them by restraining the transportation of persons and property across its borders." (314 U.S. at p. 173.) Although the obligation to provide relief to the needy was not involved or decided, the Court took pains to point out that the theory of the Elizabethan Poor Laws "no longer fits the facts"; that, particularly in the preceding decade, the task of providing relief to the needy had in not inconsiderable measure become the "common responsibility and common concern of the whole nation"; and that the poor could not be regarded as a "moral pestilence" giving rise to an exception to the limitation on a state's power to restrain movement. (314 U.S. at 174-177).

Decisions subsequent to Edwards have kept faith with its teaching and may even be said to have extended it. The poor are not only to be free from restrictions aimed at preventing their exercise of basic rights but may demand the affirmative assistance of government to place them on a footing of equality which, without assistance, their lack of means would deny them. Thus the destitute accused of crime are entitled to have trial counsel appointed to defend them. (Gideon v. Wainwright, 372 U.S. 335, 339 et seq. (1962).) But solicitude for the poor has not been confined to the exercise of basic rights such as the freedom of movement and the right to counsel. Accordingly, although a state is not required to provide for appellate review in criminal cases, it must, if it does so, expend whatever funds may be necessary to assure that those too poor to avail themselves of the remedy without help have substantially as full an appeal as the rich can afford, including counsel and trial transcripts. (Douglas v. California, 372 U.S. 353, 355 et seq. (1962); Griffin v. Illinois 351 U.S. 12, 18-19 (1955).)

Accordingly, neither poverty as such nor the drain on public money it may entail can justify impeding entry by the poor or denying them equal treatment after arrival. If, as we think, durational residence requirements in welfare legislation have such an aim, their purpose is impermissible. It merits emphasis that the impropriety of such objectives in the case of welfare legislation is particularly apparent because of the extent to which the financial burden is borne federally, rather than by subordinate jurisdictions. Ninety percent of all welfare payments are of the type supported by federal funds, and, on the average, federal money constitutes more than one-half of the various categories of payments supported. (See Report of the National Advisory Commission on Civil Disorders (Bantam Books ed. 1968) p. 457; Dept. of Health, Education, and Welfare, Social and Rehabilitation Service, Advance Release of Statistics on Public Assistance, Table 1 (Nov. 1967).)

(3) Exclusion of Poor Persons Seeking More Generous Amounts of Aid

A variant of the purpose just discussed is the asserted explanation that durational residence requirements in welfare legislation are designed to discourage entry by persons in quest of higher amounts of assistance than they receive elsewhere. This is one of the objectives advanced by appellants as to the District of Columbia. There are several reasons for rejecting such an asserted justification.

To start with, all reasonable indications are opposed to the assertion that the exclusionary objective is in fact so limited. The breadth and origins of the legislation confirm that a broader ban was intended, and a pretense of a limited objective confronts at once the embarrassing fact that such requirements prevail in the vast majority of jurisdictions in the country, not all of which can be heard to claim more generous assistance programs than the rest. The District of Columbia does not rank in the top ten jurisdictions with respect to the amount of any of the various categories of aid supported by matching funds. (See Dept. of Health, Education, and Welfare, Social and Rehabilitation Service, Advance Release of Statistics on Public Assistance, Tables 3, 4, 5, 6, and 7 (Nov. 1967).) Even if it be supposed that, in a given instance, special materials bearing on legislative intent could permit disclaimer of what statutory language and general history show, appellants have come forth with none. And, perhaps, the most telltale proof of all is eating the pudding served up by the present record. We see here no selective application of the requirement in keeping with the limited objective asserted. Among the appellees denied assistance is one (Harrell) who sought family aid after coming from New York, where the amount of such aid is higher than anywhere in the nation (see Report of the National Advisory Commission on Civil Disorders (Bantam Books ed. 1968) p. 458), and one (Barley) who has lived in the District for years in a mental institution.

More important, the impermissibility of a limited objective even if cognizable, is established by what has already been considered in regard to the aid of excluding the poor generally. Entry by the poor in consideration of welfare payments rather than for some other motive may be thought to increase the likelihood of financial burden from their movement, but the wish to protect public funds does not permit exclusion of the needy or denying them equal treatment after they arrive. One suspects that a motive so in conflict with Edwards and the subsequent decisions dealing with poor persons is advanced in the hope of enticing sympathy for the notion that there is something reprehensible in choices of residence influenced by the amount of public assistance available there. Such a notion is little, if any, removed from those outmoded attitudes discredited in Edwards. Blame for seeking the most effective help against the incidents of poverty is on a par with hostility toward the state of being poor. Relief from the ravages of poverty is no more immoral than poverty itself. One who is in need and decides to make his home elsewhere because of the availability of more assistance is no fitter object for aversion or exclusion

than one who, rich or poor, is influenced to move by the higher calibre of schools for his children, the greater reliability of the police, or, for that matter, the character of any publicly financed service or facility.

We add briefly that, even if exclusion of the limited kind in question had been the true objective and could be defended as legitimate, the durational requirements in the District of Columbia and throughout the country lack the precision necessary to effectuate such a purpose. By reason of their all-inclusive sweep, the restraints operate without regard to whether potential recipients are presently in jurisdictions with higher or lower amounts of aid, and the penalty upon newcomers is as great irrespective of the kind of jurisdiction from which they came or whether they even gave a thought to the availability and amount of assistance in their new home. Obviously, much narrower and less drastic means would be at hand to achieve the asserted aim. The removal of the possible attraction of higher amounts of assistance could, for example, with far less harsh results than an all-inclusive durational residence requirement, be accomplished by simply limiting newcomers from jurisdictions with lower amounts to the same payment as there received.

(4) Exclusion of Those Who Will Not Work

Another and equally vulnerable variant of the purpose to exclude the poor and protect the treasury is presented by the assertion that the objective of durational residence requirements is the more limited one of excluding persons unwilling to work. The incredibility of such a limited objective in enacting the typical durational requirement, the impermissibility of the objective if cognizable, and the failure, in any event, to legislate with sufficient precision all follow from reasoning parallel to that applicable to the asserted justification of excluding seekers of more generous benefits.

(5) Avoidance of Reducing Assistance to Established Inhabitants

A suggestion made by some, including appellants, is that durational residence requirements are aimed at avoiding the reduction in benefits for established inhabitants which might be expected to flow from the entry of additional recipients. This presents the same issue, in narrower view, as the exclusion of the poor to protect the public treasury. Whether the precise object sought to be achieved by the impermissible exclusion and unequal treatment of outsiders and newcomers is to preserve assistance at current levels, to free public money for other programs, or merely to keep from raising more funds, the impropriety does not alter. The truth, moreover, is that there is no convincing relationship between numbers of recipients and amounts of aid. New York pays among the highest amounts. (See Dept. of Health, Education, and Welfare, Social and Rehabilitation Service, Advance Release of Statistics on Public Assistance,

Tables 3, 4, 5, 6, and 7 (Nov. 1967).) Let it be forthrightly recognized that, insofar, if at all, as reduction of current levels of assistance would follow on the heels of the elimination of durational requirements, the reduction will be due not to more recipients but to a legislative refusal to appropriate sufficient funds to meet the needs of all the citizens of the jurisdiction.

(6) Prevention of Fraud

One justification which some, happily not appellants, have dared to advance is that the legislation is addressed to the prevention of fraud, presumably in the form of unwarranted applications for assistance by those not eligible for it independent of the durational requirement itself. It is unconscionable to suppose that newcomers are more inclined to the commission of fraud than established inhabitants with whom they are otherwise identically situated, and it is not easy to see how, in any event, durational residence requirements serve fraud prevention in any manner not as readily derived from checking procedures applicable to established inhabitants. Protection against abuse may be a worthy objective, but no more so as to newcomers than as to others, and the durational requirements simply have no compelling or rational relationship to that objective.

(7) Facilitating Administration and Budgeting

Nor do appellants join those who, eschewing the true exclusionary purpose of the legislation, would defend it in vague and unpersuasive terms relating to the administrative and budgetary goals facilitated. The unrealistic core of this line of argument seems to be that desirable predictability of caseload is in some mysterious fashion promoted. One would expect that prediction in these matters is at best a hazardous enterprise, so affected as they must be by the intricate interplay of often fortuitous events which shape the vagaries of our economy. Our imagination falters at why the process is made more feasible by requiring that the person ultimately asking for assistance live in the jurisdiction for a certain period of time before applying. Why is the sudden plight of a resident of twenty years the easier to foretell by reason of the length and constancy of his place of abode than the need of a newcomer who comes to fill a job but loses it after a few months and requires help?

Understandably, the extent of the current year's caseload may be a factor enabling some projection of the demand in the ensuing year, but neither the existence of that factor nor consideration of it will be foreclosed or affected by elimination of the durational requirements. To the extent that projections, of necessity imperfect, must now be relied upon, together with special budgetary approaches and adjustments to cope with miscalculation, their abandonment is in no way the concomitant of eliminating durational requirements.

We submit that there is no compelling or rational relationship between preservation of durational residence requirements and sound administrative and fiscal practice. We believe, instead, the actualities are that disappearance of the durational requirements, rather than complicating the mechanics of assistance programs, will usher in a more efficient and economical implementation.

In the event that the Court is more successful than we in discerning some conceivable administrative advantage in retention of the durational requirements, we should add that important rights are not to be casually abridged "because of some remote administrative benefit to the State." (Carrington v. Rash, 380 U.S. 89, 96 (1964).)

(8) Testing Good Faith Residence

There is yet another apology offered for the durational residence requirements in welfare legislation, namely, that they are legitimately designed as a test to assure that recipients of assistance have in fact become bona fide residents of the jurisdiction. As in the case of the two assertions of non-exclusionary aims just discussed, we submit it as clear that this one is a desperate attempt to hide the true and impermissible purpose involved. In joining the ranks of those who rely on it, while also urging the desire to exclude persons seeking more generous welfare payments, appellants would seem to have two warring tigers by the tail. There is hardly a danger that persons moving to the District of Columbia for more aid would not intend and want to become residents there. Nor, again, is the existence of such a limited purpose consistent with the application of the durational requirement to appellee Barley.

The most vulnerable aspects of the asserted justification, however, lie in another direction. There is no compelling or even rational relationship between the means and the end. One may stay in a place for a year without intending it to be his permanent home, and on the other hand, it must be conceded that many intend to become and remain residents from the moment of entry or even before. Viewed as tests for measuring good faith residence, durational residence requirements improperly operate as a conclusive presumption, irrebuttable by the clearest proofs. (Cf. Carrington v. Rash, 380 U.S. 89, 96 et seq. (1964); Aptheker v. Secretary of State, 378 U.S. 500, 510 (1963).) Here, as in Carrington, one can be sure that states apply less drastic means of testing intentions in a variety of situations and would have no difficulty in quickly accepting newcomers as residents when advantageous, as, for example, in order to subject them to income tax provisions.

C. The Durational Residence Requirements Abridge the Freedom of Movement

It follows from what has been said above that durational residence requirements in welfare legislation are violative of the freedom of movement guaranteed by the Constitution. The true, exclusionary purpose is clear, and in, any event, the effect whether or not intended, is to restrain poor persons from exercising their right to move and to penalize poor persons who have recently exercised it. Finding impetus in Edwards and consummation in the recent cases such as Aptheker, the freedom of movement has at last been elevated to its rightful perch of a preferred and specially safeguarded right. Under Edwards and the later cases dealing with poverty, neither that condition nor the financial burdens a state may experience as a result of it can justify the restraint exerted upon movement by the poor or the penalty imposed upon poor persons who have recently moved. The non-exclusionary objectives unconvincingly asserted in attempted justification, even if cognizable, lack the compelling quality which must be present to permit the abridgement. The durational residence requirements do not even have a rational relationship with such objectives, and, if they did, they would fail for overbreadth.

D. The Durational Residence Requirements Violate the Equal Protection and Due Process Clauses

It should be pointed out that the foregoing establishes that durational residence requirements in welfare legislation result in the invidious kind of discrimination prohibited by the Equal Protection and Due Process Clauses of the Constitution. In a case like the present one, where movement or the possibility of movement is the trait giving rise to the discrimination, it is difficult to conceive how the operation of these clauses can be separated from the freedom of movement. They are among the several provisions which may be thought to safeguard that freedom, and the Due Process Clause of the Fifth Amendment was the specific basis of the holding in Aptheker. The realistic approach would seem to require recognition of the existence and importance of the freedom of movement and condemnation on the basis of the violation of that freedom as such. However, a few comments should be made as to the possibility of applying the clauses independent of the freedom of movement.

The basic purpose of welfare legislation is to assist those citizens of a jurisdiction who are in need. Yet there is an all-inclusive denial of help to newcomers accompanied by an all-inclusive preferment of established inhabitants, notwithstanding the fact that the Fourteenth Amendment declares that any citizen of the United States is a citizen of the state where he resides. The sole differentiating trait is newness of arrival, and that feature, as noted earlier, has no rational or sufficiently precise relationship to any permissible governmental objective. It may have a relationship to the avoidance or deferring of expenditures from public funds, but under Edwards and the later cases concerning poverty, such as Griffin v. Illinois, 351 U.S. 12 (1955), that concern cannot justify unequal treat-

ment as to a vital matter.

Thus, we believe that the Equal Protection and Due Process Clauses may be applied to condemn durational residence requirements in welfare legislation independently of the freedom of movement, although we persist in the view that the most forthright approach is invalidation on the ground of the unwarranted abridgement of that freedom.

IV. Arguments commonly made in support of the Legislation are without merit

There remain to be considered various arguments commonly made in defense of durational residence requirements in welfare legislation. Essentially, the answers to all such arguments flow from the controlling decisions we have cited, but specific response, however brief, should be added as to some of them.

A. The Fiscal Argument

There are sometimes suggestions that governmental determinations involving the expenditure of funds raised by taxation are, somehow, especially insulated against judicial review. There is no such rule. Courts, of course, will not interfere with determinations of a fiscal character, or any determinations for that matter, if they do not affect constitutional rights or do so but are justified by considerations of sufficient strength. On the other hand, courts have not hesitated to strike down unconstitutional conditions even though, by the negative process of elimination, the result would be a different use of public funds of property from that originally intended. (Cramp v. Board of Public Instruction, Orange County, Fla., 368 U.S. 278, 288 (1961); Wieman v. Updegraff, 344 U.S. 183, 191-192 (1952); see also authorities cited in Sherbert v. Verner, 374 U.S. 398, 404-405, fn. 6 (1962).) And, as already stressed, affirmative assistance by government has been required where necessary to avoid inequality as to an important matter. (E.g., Griffin v. Illinois, 351 U.S. 12 (1955).)

B. The Privilege Argument

The authorities just cited and many others also serve to dispose of another argument sometimes heard in this field, namely, that there is no basis for constitutional complaint against durational residence requirements because receipt of assistance is in the nature of a privilege which could have been withheld altogether in the first instance. (See, in addition to the above, a leading case on the subject of unconstitutional conditions, Frost Trucking Co. v. R. R. Com., 271 U.S. 583, 592-594 (1926).)

C. The Indirectness Argument

The same authorities, including Sherbert and Frost Trucking Co., reject the assertion that the durational requirements cannot be viewed as abridging the freedom of movement because their impact is indirect rather than a direct blockage of movement. As the cases make clear, what is important is the severity of the impact, not its characterization as indirect or direct.

D. The Non-Contractual Benefits Argument and Flemming v. Nestor, 363 U.S. 603 (1959)

Perhaps the argument most strongly pressed by appellants is that, since non-contractual benefits of welfare legislation are involved, extremely lenient standards of review are applicable. The kinship to the privilege argument is unmistakable. What appellants ignore is the crucial point that the standards a measure must meet depend not on whether it can be said to involve a benefit, privilege, or gratuity but whether it injects in that connection a provision abridging a fundamental right. If, as we have seen, a statute curtails a First Amendment right or the freedom of movement, the government must show that a compelling interest underlies the provision.

Appellants rely on broad language in Flemming. That case, however, according to the majority, did not involve any fundamental rights such as the freedom of movement. Moreover, as was later pointed out in Sherbert v. Verner, 374 U.S. 398, 409, fn. 9 (1962), the ground of decision in Flemming was that Congress had a "compelling interest" in denying the benefits.

E. The Subsidy Argument

Brief mention should be made, too, of the rather absurd assertion that elimination of durational requirements, rather than removing obstruction to movement by the poor, will result in subsidizing movement by them. A comparable argument was made and rejected in Sherbert with respect to the establishment of religion. (374 U.S. at p. 409.)

F. Other Assertedly Similar Restraints

It is also claimed that there are various kinds of legislation having at least as great a restraining effect upon movement. Reference is made, for example, to the existence of higher taxes or stricter license requirements in one jurisdiction than in another. It is forgotten that matters of that sort differ in the vital respect that there is no discrimination in favor of established inhabitants and against outsiders and newcomers.

G. The Asserted Revolutionary Character and Disruptive Consequences of Invalidation in the Light of Other Durational Residence Requirements

Much has been heard in this and the related cases to the effect that invalidation of durational residence requirements in welfare legislation will have far-reaching and disastrous consequences. Allusion is made to residence requirements of various sorts throughout the country. One is almost led to fear that the bedrock of the nation's law is threatened with undoing.

The truth, of course, is that there is nothing revolutionary in the judicial condemnation of durational residence requirements and analogous provisions. A number of lower courts have not hesitated to act, when deemed appropriate, and with respect, in some instances, to provisions which might be thought, unlike the ones in question here, to have a chance of refuge in the apologetics of the police power. (See e.g., City of New Brunswick v. Zimmerman, 79 F.2d 429 (1935) (N. J.); Mercer v. Hemmings, 194 So.2d 579 (1966) (Fla.); McCreary v. State, 165 So. 657 (1936) (Fla.); Dusenbury v. Chesney, 121 So. 567 (1929) (Fla.); Newman v. Graham, 349 P.2d 716 (1960) (Idaho); Lipkin v. Duffy, 196 A. 288 (N. J.); State ex rel. McCulloch v. Ashby, 387 P.2d 588 (1963) (N. Mex.); People v. Gerald Bowen, 175 N. Y. S. 2d 125 (1958); Schrager v. City of Albany, 99 N. Y. S. 2d 697; Wormsen v. Moss, 20 N. Y. S. 2d 798.)

It is also true that there is, or at least was, a wide-ranging pattern of durational residence requirements. As to some, a rather strong or possible case of compelling justification may be made. Such requirements, for example, find clear force in the area of voting, where there is understandable concern that the integrity of the election process might be undermined by the entry of masses of voters solely to cast ballots and by the unfamiliarity of newcomers with local issues, conditions, and candidates. (Drueding v. Devlin, 234 F.S. 721, 724 (1964) (Md.) (aff'd per curiam 380 U.S. 125 (1965).) By analogy to the voting situation, a defense would appear to be available as to durational requirements for the holding of public office or even, perhaps, the holding of a quasi-public position such as a corporate director. And some requirements might be thought less vulnerable because they involve occupations or professions of somewhat higher than average potential for harm to the public, such as the selling of alcoholic beverages. (See Hinebaugh v. James, Tax Comm'r, 192 S. E. 177 (1937) (W. Va.).)

The only decision squarely in point we know of prior to the recent group, People ex rel. Heydenreich v. Lyons, 30 N. E. 2d 46 (1940) (Ill.), is contrary to our position, but we experience no alarm on that account. It was decided without consideration of the doctrine of unconstitutional conditions and without benefit of the decision the following year in Edwards v. California, 314 U.S. 160 (1941). The reasoning in question, which was not the holding but dictum, ranged from the privilege argument to the justifiability of excluding the poor to protect the treasury. An approach less worthy of weight in this field is hard to imagine.

We do not pretend that some durational residence requirements may not be adversely affected by invalidation here, but, on the other hand, many will not lack grounds for distinction. We will not conjecture. What is, in any event, clear is that durational residence requirements in welfare legislation abridge a basic freedom and without serving any permissible objective which is compelling or even rational. That, for the present, is quite enough.

* * * * *

CONCLUSION

There is no dearth of indications that perhaps no time in our history has rivaled the present for urgency to take all feasible steps to relieve the misery of the poor. The elimination of durational residence requirements in welfare legislation would be a milestone in that direction, and fortunately, it is as legally required as socially wise. The majority of judges in several lower courts have begun the laudable work. It is now for this Court to complete it.

We pray that the judgments in this and the related cases be affirmed.

Dated, April 12, 1968.

Respectfully submitted,

JOHN F. NAGLE
Attorney for National Federation
of the Blind, Amicus Curiae.

B. V. Yturbide,
Joanne C. Heffelfinger,
Of Counsel.

CONSTITUTION

THE NATIONAL FEDERATION OF THE BLIND, INC.

As adopted November 16, 1940

Amended 1942, 1944, 1946, 1949, 1951, 1952, 1953, 1958, 1960

ARTICLE I THE NAME

The name of this organization is the National Federation of the Blind.

ARTICLE II PURPOSE

The purpose of The National Federation of the Blind is to promote the economic and social welfare of the blind.

ARTICLE III MEMBERSHIP

Section a. Membership of The National Federation of the Blind shall consist of the members of the state affiliates plus members at large, who shall have the same rights, privileges, and responsibilities.

Under procedures to be established by the Executive Committee, any person denied admission by a state affiliate may be admitted as a member at large. The dues of members at large shall be one dollar per year.¹

Section b. Each state or territorial possession of the United States, including the District of Columbia, having an affiliate shall have one vote at the national convention. Delegates to the national convention shall be elected not less frequently than every two years.²

Section c. Affiliates shall be organizations of the blind, controlled

1 Section 'a' of Article III was amended July 4, 1960, Miami, Florida. Before the amendment Section 'a' read: "The membership of The National Federation of the Blind shall consist of delegations from each of the states of the United States and the District of Columbia and its Territorial possessions."

2 Section 'b' of Article III was amended July 4, 1960, Miami, Florida. Before the amendment Section 'b' read: "Each state shall have one vote."

by the blind.³

Section d. (1) The Executive Committee may admit one or more affiliates in those states which have no affiliate in June, 1951.

(2) The Executive Committee may admit more than one organization in those states which now have one affiliate with the consent of that affiliate. This section shall not apply to those states which do not have an affiliate.

(3) Where an affiliate refuses to consent to the admission of another organization as provided in the preceding section, that organization may be admitted by a three-fourths majority vote by the delegates present and voting at a regular convention, provided however, that this section shall not apply to organizations which are formed after June, 1951.

(4) In any state having two or more affiliates of The National Federation of the Blind:

aa. The state shall be entitled to one vote cast as a unit;

bb. The dues and voting strength shall be apportioned among the affiliates according to mutual agreement;

cc. In the absence of such mutual agreement, the dues and voting strength shall be apportioned equally among the affiliates.⁴

Section e. The Convention by a two-thirds vote may expel and by a

³ Section 'c' of Article III was amended July 4, 1960, Miami, Florida. Before the amendment Section 'c' read: "Delegates shall represent organizations of the blind controlled by the blind; but individuals may be admitted to membership with all the privileges and duties of representative members except that they shall not be entitled to vote or hold office."

⁴ Section 'd' of Article III added June 20, 1951, Oklahoma City, Oklahoma.

simple majority suspend, or otherwise discipline any members or affiliate for conduct inconsistent with this Constitution, the Affiliate Standards, or policies established by the Convention; provided that notice of the proposed action shall be announced to the Convention and to the party concerned on the preceding day.⁵

ARTICLE IV OFFICERS

Section a. The officers of The National Federation of the Blind shall consist of president, first vice-president, second vice-president, secretary and treasurer. They shall be elected biennially.

Section b. The officers shall be elected by majority vote of the states.

Section c. The National Federation of the Blind shall have an Executive Committee which shall be composed of the officers plus eight members selected in the same way, whose regular term shall be two years, all eight members to be elected under this system beginning in July, 1960, four for two years and four for one year.⁶

Section d. There shall be, in addition, a Board of Directors. The duties of the said Board shall be advisory only. The membership of the Board of Directors shall be the officers of the Federation, the elected members of the Executive Committee, and other blind persons, not to exceed twelve in number, who may be appointed, from time to time, by the Executive Committee, subject to confirmation by the Federation at the next ensuing annual meeting. When so con-

5 Section 'e' of Article III added July 4, 1960, Miami, Florida.

6 Section 'c' of Article IV was amended July 4, 1960, Miami, Florida. Before the amendment Section 'c' read: "The National Federation of the Blind shall have an Executive Committee which shall be composed of the officers plus eight members selected in the same way whose regular term shall be four years but at the first election after the adoption of this amendment two of the new members shall be elected for one year and two for three years."

'Committee' was substituted for 'Board', July 15, 1962, Nashville, Tennessee.

Section 'c' of Article IV was previously amended June 22, 1949, Denver, Colorado. Before the amendment Section 'c' read: "The National Federation of the Blind shall have an Executive Board which shall be composed of the officers plus four members selected in the same way whose regular term shall be four years but at the first election two shall be elected for two years."

firmed, such members of the Board of Directors shall serve for one year, or until their successors shall have been appointed by the Executive Committee.⁷

Section e. Officers, Executive Committee members, and members of the Board of Directors may be removed or recalled by a majority vote of the Convention; provided that notice of the proposed action shall be announced to the Convention and to the party concerned on the preceding day.⁸

Section f. No person receiving regular substantial financial compensation from The National Federation of the Blind shall be an elected officer or Executive Committee member.⁹

ARTICLE V POWERS AND DUTIES OF THE CONVENTION, THE EXECUTIVE COMMITTEE AND THE PRESIDENT

Section a. Powers and Duties of the Convention.

The Convention is the supreme authority of the Federation. It is the legislature of the Federation. As such, it has final authority with respect to all issues of policy. Its decisions shall be made after opportunity has been afforded for full and fair discussion. Delegates, members, and all blind persons in attendance may participate in all convention discussions as a matter of right. Any member of the Federation may make or second motions, propose nominations, serve on committees and is eligible for election to office, except that only blind members may hold elective office. Voting and making motions by proxy are prohibited. The Convention shall determine the time and place of its meetings. Consistent with the democratic character of the Federation, convention meetings shall be so conducted as to prevent parliamentary maneuvers which would have the effect of interfering with the expression of the will of the majority on any question, or with the rights of the minority to full and fair presentation of their views. The Convention is not merely a gathering of representatives of separate state organizations. It is a meeting of the Federation at the national level in its character as a national organi-

7 Section 'd' Article IV was added July 15, 1952, Nashville, Tennessee.

8 Section 'e' Article IV was added July 4, 1960, Miami, Florida.

9 Section 'f' Article IV was added July 4, 1960, Miami, Florida.

zation. Committees of the Federation are committees of the national organization. The nominating committee shall consist of one member from each state affiliate represented at the convention.

Section b. Powers and Duties of the Executive Committee.

The function of the Executive Committee as the governing body of the Federation between conventions is to make policies when necessary and not in conflict with the policies adopted by the Convention. Policy decisions which can be postponed until the next meeting of the national convention shall not be made by the Executive Committee. The Executive Committee shall serve as a credentials committee. It shall deal with organizational problems presented to it by any affiliate. At each meeting, the Executive Committee shall receive a report from the President on the operations of the Federation. There shall be a standing subcommittee of the Executive Committee which shall consist of three members. The committee shall be known as the Subcommittee on Budget and Finance. It shall, whenever it deems necessary, recommend to the Executive Committee principles of budgeting, accounting procedures and methods of financing the Federation program; and shall consult with the President on major expenditures.

The Executive Committee shall meet at the time of each national convention. It shall hold at least two other regular meetings each year if funds are available. Special meetings may be held either on the call of the President or on the written request of any five members.

Section c. Powers and Duties of the President

The President is the principal administrative officer of the Federation. In this capacity his duties consist of: carrying out the policies adopted by the Convention; conducting the day-to-day management of the affairs of the Federation; authorizing expenditures from the Federation treasury in accordance with and in implementation of the policies established by the Convention; appointing all committees of the Federation except the Executive Committee; coordinating all activities of the Federation including the work of other officers and of committees; hiring, supervising and, when necessary, dismissing staff members and other employees of the Federation and determining their numbers and compensation; taking all administrative actions necessary and proper to put into effect the programs and accomplish the purposes of the Federation.

The implementation and administration of the interim policies adopted by the Executive Committee is the responsibility of the President as principal administrative officer of the Federation.

Section d. Conflicting Provisions.

All provisions of the Constitution in conflict with this article are repealed.¹⁰

ARTICLE VI PROCEEDINGS

Roberts Rules of Order Revised shall govern all proceedings.

ARTICLE VII AMENDMENTS

The Constitution may be amended at any regular annual meeting of the Federation by an affirmative vote of two-thirds of the members registered, present and voting. Provided further: that the proposed amendment must be signed by five member states in good standing and that it must have been presented to the appropriate committee the day before final action by the Convention.¹¹

ARTICLE VIII FINANCE

All member states shall pay an annual assessment of ten dollars¹² per each one million population of its state, or major¹³ fraction thereof, according to the last Federal census.¹⁴

Assessments shall be payable annually in advance, except that the Executive Committee shall have power to rule that member states may

10 The present Article V was adopted on July 5, 1958, Boston, Massachusetts. It is a substitute for Article V as it stood before.

11 The clause reading: "Provided further: that the proposed amendment must be signed by five member states in good standing and that it must have been presented to the appropriate committee the day before final action by the Convention" was added in June, 1942, Des Moines, Iowa.

12 Assessment was changed from \$15 to \$10 in June, 1944, Cleveland, Ohio.

13 The word 'major' was added July 12, 1953, Milwaukee, Wisconsin.

14 The clause "and new members shall, in addition, pay an initiation fee of ten dollars" was repealed June 28, 1946, St. Louis, Missouri.

pay quarterly in advance, anything to the contrary in this Constitution notwithstanding.

Provided further: that any member state which is more than one year in arrears with its dues, shall be denied the privilege of voting.

THE NATIONAL FEDERATION OF THE BLIND

CODE OF AFFILIATE STANDARDS

As Adopted July 18, 1955, and Amended 1960, 1961

PREFACE:

Since the establishment of the National Federation of the Blind in 1940, many questions have arisen regarding the relationship between the Federation and its affiliates. These questions arise most frequently on the subject of organization and program standards within the respective state affiliates. Because many of these questions could not be directly answered, the Federation's Executive Committee in July of 1954 created this Committee on Affiliate Standards to make a study of this subject and to make recommendations which, if adopted by the Convention would serve as guides for affiliated organizations.

The Committee on Affiliate Standards is composed of:

Durward K. McDaniel, Chairman
Jacobus tenBroek
George Card
Clyde Ross, and
Kenneth Jernigan

The Committee met in Chicago at the end of October, 1954. The nature of the task requires that the product of the committee's work be made in the form of a Statement of Policy which will become official when and if it is adopted by a Federation Convention.

STATEMENT OF POLICY APPLICABLE TO AFFILIATE STANDARDS

1. The National Federation of the Blind has grown from the base up, and by its structural nature is the sum of its component state affiliates. Independence, representation, and democracy are the fundamental qualities which inspired its formation and which justify its existence and growth. Since the Federation derives its existence by reason of its components, it follows that the preservation of these qualities depends upon their existence within the Federation's affiliates. An affiliated organization of the blind should be independent of other organizations and interests, and it should be truly "of the blind." By this is meant an affiliated organization of the blind must be controlled by blind people themselves. "Control" does not require exclusion from membership of all persons who are not blind. Rather, control can best be measured by the leadership of the blind members within the organization who must

exercise a dominant role in the formulation and execution of program and policy.

Certainly, a majority of the members within an organization must be blind persons, and a higher ratio is recommended. Likewise, a majority of the members of an executive board must be blind persons. It is mandatory that the president and the vice-president, as executive officers, be blind.

2. Organizations of the blind frequently criticize programs and policies of agencies for the blind. It is increasingly true that blind persons from within our organizations are being employed by agencies for the blind. These persons should not be denied membership by reason of their employment. As a practical matter, however, a blind employee of an agency who has been elected to an executive office may find it difficult, if not impossible, to represent forcefully the position or program of his organization when it is at variance with his employer's policy or desire. There is potential educational value in having both blind and sighted agency employees eligible for membership.

3. In order to more adequately fill its representative role, each organization should strive continuously through an organized plan to enlarge its membership. It should endeavor to inform unorganized blind people of its purposes and functions. The organized blind men and women within these organizations have found common bonds of philosophy and objectives. Our strength and effectiveness depends upon our ability to bring others within this common bond. It is much easier and more desirable to settle our differences of opinion as equal members within one organization than it is to compete publicly as rival groups.

Representation requires more than a membership. It requires that each organization of the blind formulate and actively present its program and criticism to its state legislature, to administrative boards and to public administrators. It is essential that each organization have a legislative committee, board or officer expressly charged with the responsibility for carrying out its legislative function. It is only through the Federation and its state affiliates that blind people can effectuate their programs and philosophy both at the state and national levels. The Federation's national program is formulated by the collective will of its affiliates. After the national program is formulated and implemented, the National Federation of the Blind must depend upon the active support of its state affiliates in order to successfully achieve the program objectives. It is only through the dedicated work and cooperation of members

and organizations that the inferior, dependent ward status of the blind can be replaced by equality, dignity and right. Any enterprise or project which is dedicated to the advancement of our common cause and to the achievement of first class citizenship for the blind deserves the support and active participation of all organizations of the blind.

4. Organizations of the blind should be managed and operated democratically. This standard requires adherence to the principle that the membership is the primary authority of the organization. Preferably, a general convention of the membership or elected delegates of the membership should be held annually. To assure democratic control, the membership of a state affiliate must meet and its principal executive officers must be elected at least once in every two years. There can be no closed memberships. Procedures for internal discipline should apply equally to each member.

Each organization must have a written constitution or bylaws setting forth the structure of the organization, the authority of its officers and representatives, and the terms of office.

5. Organizations of the blind have found that operating funds are necessary to carry on their constructive programs and projects. In the spending of contributed funds, no affiliate shall divide publicly contributed funds among its individual members on the basis of membership. Each affiliate must maintain adequate records of publicly contributed funds, and must be able to account for the expenditure of such funds in accordance with the stated purposes given in the solicitation of such funds.

6. Participation in and representation at the national conventions are important duties and functions of each affiliate. In recent years, the National Federation's greeting card sales program has resulted in the disbursement of considerable sums to its participating affiliates. Current prospects are that future disbursements will be much larger. Since such disbursements are more than adequate to send at least one representative from each participating affiliate, such representation at national conventions, commencing with 1956, shall be required as a condition precedent to each participating affiliate's right to its disbursement in the following year; provided that a deprived affiliate shall be entitled to an appeal to the Executive Committee or to the Convention. An affiliated organization which fails to be represented at three consecutive national conventions may be considered to be inactive, and may be suspended as an affiliate by the Executive Committee.

7. The moneys disbursed by the Federation to its affiliates are

received on a basis of representation made to the public. It is therefore made a condition precedent to such disbursement that the affiliates make a full report to the Federation of their use of these funds and establish proper accounting procedures, the adequacy of the reports and accounting procedures to be determined by the Executive Committee of the Federation.

As Amended July 4, 1960

Each state receiving greeting card funds must submit a complete report of what is done with greeting card money as well as other funds received by the affiliate; provided, that no action will be taken against an affiliate for failure to comply with this requirement without an opportunity for a fair hearing before the Executive Committee.

As Amended July 5, 1961

1. The affiliate must commit itself by resolution, bylaw or constitutional provision not to engage in any conduct or allow its officers or members to engage in any conduct inconsistent with the constitution of the NFB, its code of affiliate standards, its existence, progress and well-being.

2. The affiliate must give assurance by resolution, bylaw or constitutional provision that it will comply with the majority decisions of the Federation, on all policy issues. The affiliate must give a similar assurance that it will participate affirmatively in carrying out such policy decisions in the manner established by the NFB Convention or pursuant to the directives of the duly elected officers of the Federation. The affiliate must give further assurance that it or its members will not obstruct the execution of such policies in any way.

3. The affiliate must commit itself not to indulge in any efforts to alienate members of Congress or other public officials from the Federation or any of its duly established policies and programs.

4. The affiliate must commit itself not to indulge in attacks upon the officers, committeemen, leaders and members of the Federation or upon the organization itself outside of the organization, and must not allow its officers or members to indulge in such attacks. This commitment in no way interferes with the right of an affiliate or its officers or members to carry on a political campaign inside the Federation for election to office.

5. The affiliate must commit itself not to interfere with the or-

ganizing activities of the Federation or the affiliates of the Federation.

6. The affiliate must commit itself not to join or support, or allow its officers or members to join or support any permanent or temporary organization inside the Federation, which has not received the sanction and approval of the Federation. This general proposition means, for example, that the Free Press Association must be dissolved insofar as it is composed of or supported by affiliates of the Federation or officers or members of affiliates of the Federation.

7. Each suspended affiliate must submit such financial records as may be required by the Subcommittee on Budget and Finance.

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